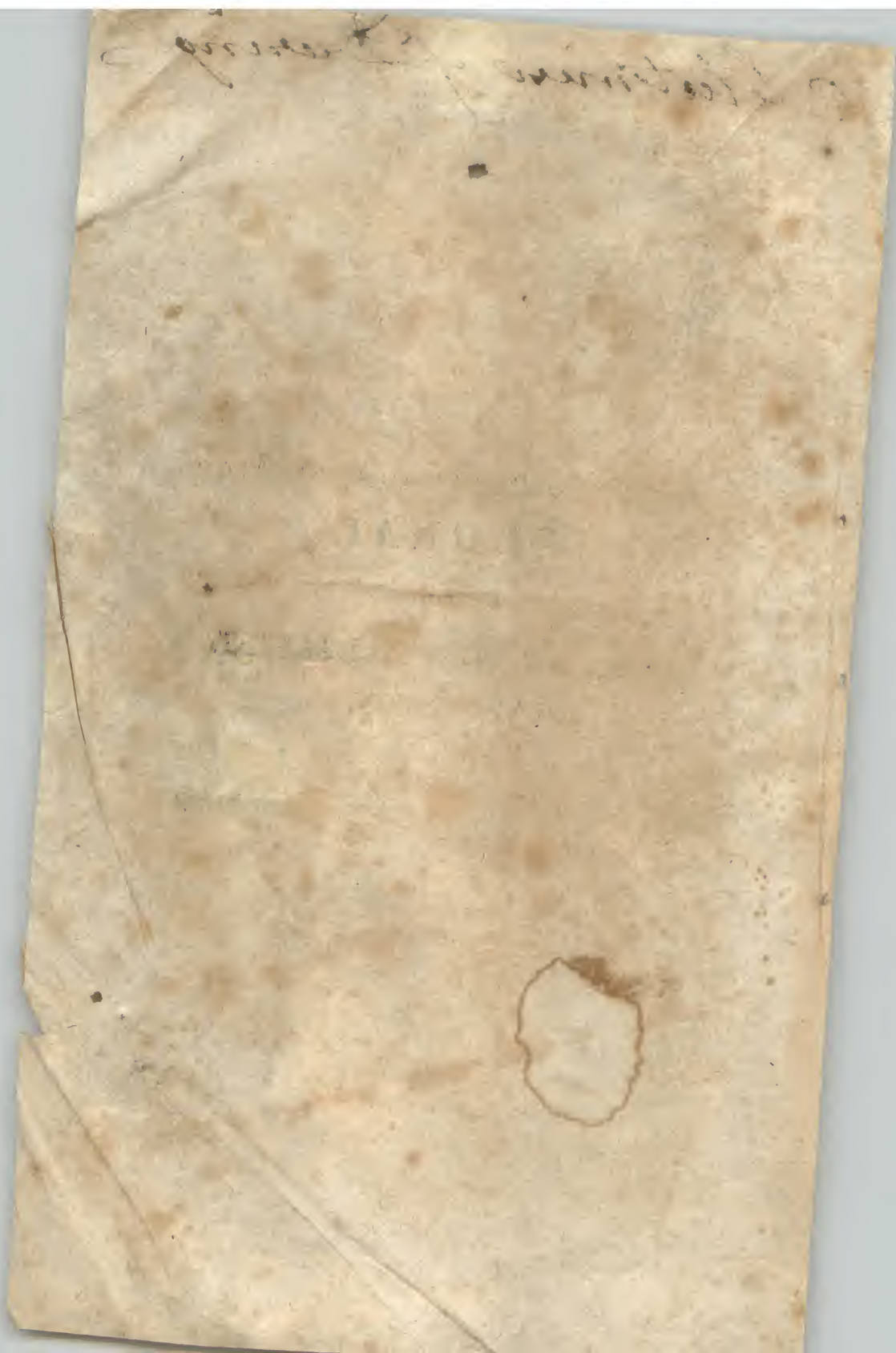


Collection of Papers



JOURNAL,
OF THE
SENATE OF NEW-HAMPSHIRE.
JUNE SESSION,
1823.





JOURNAL
OF THE
S E N A T E,
OF THE
State of New-Hampshire,
AT THEIR SESSION,
HOLDEN AT THE CAPITOL IN CONCORD,
COMMENCING ON THE FIRST WEDNESDAY OF JUNE,
AND ENDING THE THIRD DAY OF JULY,
Anno Domini,
ONE THOUSAND EIGHT HUNDRED AND TWENTY-THREE.


PUBLISHED BY AUTHORITY.


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JOURNAL

OF THE

Senate of New-Hampshire,

AT THEIR SESSION,

HOLDEN AT THE CAPITOL, IN CONCORD,

AND COMMENCING

WEDNESDAY, JUNE 4, 1823.

This being the day prescribed by the Constitution for the General Court of New-Hampshire to assemble, the following members of the Senate convened in the Senate Hall of the Capitol, and having been duly qualified, took their seats, viz.

From District No. 1,	Hon. Langley Boardman.
No. 2,	John Kimball.
No. 3,	David L. Morril.
No. 4,	
No. 5,	Nehemiah Eastman.
No. 6,	Pearson Cogswell.
No. 7,	John Wallace, jun.
No. 8,	Thomas W. Colby.
No. 9,	John Wood.
No. 10,	Gawen Gilmore.
No. 11,	James Poole.
No. 12,	

Proceeded to the choice of a Chairman, and the Hon. Nehemiah Eastman was appointed.

On motion of Mr. Wallace,

Proceeded to the choice of President, and the Hon. David L. Morril was elected.

On motion of Mr. Eastman,
Proceeded to the choice of a Clerk, and Philip Carrigain, Esq. was elected.

Proceeded to the choice of an Assistant Clerk, and Richard Bartlett, Esq. was chosen.

Philip Carrigain, Esq. was sworn to the faithful discharge of the duties of his office.

Proceeded to ballot for the choice of a Doorkeeper, and James Buzzell was elected.

On motion of Mr. Eastman,

Voted, that the rules of the Senate for the last session be adopted for the government of the Senate during the present session.

Richard Bartlett, Esq. having declined to accept the office of Assistant Clerk,

On motion of Mr. Wallace,

Proceeded to the choice of an Assistant Clerk, and William Tenney, Esq. was elected.

William Tenney, Esq. appeared, and was sworn to the faithful discharge of the duties of his office.

Ordered, that a message be sent to the House of Representatives, that a quorum of the Senate are assembled, and organized agreeably to the Constitution; that they have elected the Hon. David L. Morrill for their President, Philip Carrigain, Esq. Clerk, William Tenney, Esq. Assistant Clerk; and are ready to progress in the public business of the session, which was communicated by the Clerk accordingly.

Adjourned to 3 o'clock, P. M.

WEDNESDAY AFTERNOON.

Met according to adjournment.

A message was communicated from the House of Representatives, by Mr. Hubbard, informing, that a quorum of the House had convened agreeably to the Constitution; that they had elected Andrew Peirce,

Wednesday, June 4, 1823.

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Esq. their Speaker, Moses L. Neal, Esq. Clerk, Thomas E. Sawyer, Esq. Assistant Clerk, and were ready to proceed in the public business.

A message was received from the House of Representatives, by Mr. Sawyer, the Assistant Clerk, who presented the following vote :—

Voted, that Messrs. Sawyer, Dana, and Atherton, with such as the Senate may join, be a committee to inform his Excellency the Governor that quorums of both branches of the Legislature have convened ; that they have elected their constitutional officers, and are ready to proceed in the public business ; which was read and concurred, and Mr. Wallace joined.

A vote of the House of Representatives, that Messrs. Crosby of Milford, Otis, and Ambrose, with such as the Senate may join, be a committee to nominate and report a suitable person to officiate as Chaplain to the Legislature the present session, was brought up, read, and concurred, and Mr. Eastman joined on the part of the Senate.

A vote of the House of Representatives, that Messrs. Sawyer, Aiken, Fletcher, Webster of Conway, Towle, Rogers of Henniker, Ayer, Healy, Chamberlain, and Meserve, with such as the Senate may join, be a committee to report the order of procedure in the public performances of to-morrow, was read and concurred, and Messrs. Poole and Boardman joined on the part of the Senate.

A message from the House of Representatives was communicated by Mr. Ayer, who informed the Senate that the House were ready to meet in convention, to commence and proceed in the elections, agreeably to the Constitution.

Mr. Wallace, from the joint committee appointed to inform his Excellency the Governor that quorums of both branches of the Legislature had convened, and had chosen their constitutional officers, and were ready to proceed in the public business, reported, that the committee had attended to that duty.

Voted, to meet the House forthwith in convention.

The Senate and House being met in convention, in the Representatives' Hall, the Secretary came in and read the statement of the votes for Senators in the several districts, by which it appeared that Senators have been elected in the following districts :

Nos. 1, 2, 3, 5, 6, 7, 8, 9, 10, 11 ; and that in district No. 4, there is no choice by the people, and that Ezekiel Morrill, Esq. and Moses Eastman, Esq. are the two highest and the constitutional candidates for the office of Senator in that district. And that in district No. 12, there is no choice by the people, and that Stephen P. Webster, Esq. and Adino N. Brackett, Esq. are the two highest and the constitutional candidates for the office of Senator in that district.

On motion of Mr. Keith, of the House,
Proceeded to the choice of a Senator for district No. 4, and the Hon. Ezekiel Morrill was elected.

On motion of Mr. Wood, of the Senate,
Proceeded to the choice of a Senator for district No. 12, and the Hon. Stephen P. Webster was elected.

The Secretary then laid before the convention the returns of votes for Governor, from the several towns and places in this State ; which being opened, read, and record thereof made,

On motion of Mr. Wood, of the Senate,
The convention appointed a committee, consisting of Messrs. Wood and Poole, of the Senate, and Messrs. Bellows, Toppan, and Chamberlain, of the House, to examine, compare, and cast the same, and make report thereon to the convention.

When, on motion of Mr. Colby, of the Senate,
The convention adjourned, and the Senate returned to their Chamber.

In Senate.

On motion of Mr. Wallace,
Voted, that the President be requested to notify Ezekiel Morrill, Esq. of his election to the office of Senator for district No. 4 ; and Stephen P. Webster,

Thursday, June 5, 1823.

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Esq. of his election to the office of Senator for district No. 12.

A message was received from his Excellency the Governor, by Mr. Sparhawk, the Secretary, who presented the following communication :

To the Senate.

Gentlemen—In obedience to a resolve of the Legislature, at its last session, requesting me to appoint some suitable person to preach the election sermon at the present session of the Legislature, I have appointed the Rev. Daniel Dana, D. D. to perform that duty, and have received from him information of his acceptance of the appointment.

SAMUEL BELL.

June 4, 1823.

On motion of Mr. Kimball,
Voted, that when the Senate adjourned it should be to 8 o'clock to-morrow morning.

Voted, that Messrs. Wallace and Colby be a committee to inform his Excellency the Governor of the election of Ezekiel Morrill, Esq. to supply the vacancy in district No. 4; and Stephen P. Webster, Esq. to supply the vacancy in district No. 12.

Adjourned to meet at 8 o'clock to-morrow morning.

THURSDAY, JUNE 5, 1823.

Met according to adjournment.

A message was communicated from the House of Representatives, by Mr. Toppan, informing, that the House were ready to go into convention, to proceed in the elections agreeably to the Constitution.

On motion of Mr. Eastman,
Voted, to meet the House forthwith.

Convention.

Mr. Wood from the committee, who were appointed to examine and compare the entries and cast the number of votes returned for Governor, made the following report—

The committee appointed to examine and compare the entries, and cast the number of votes returned for Governor, made the following

REPORT :

That the whole number of votes which the committee consider legally returned is	29,943
Necessary to make a choice	14,972
Estimated as scattering	240
The Hon. Levi Woodbury has	16,985

and is duly elected.

The committee have not included in the above estimate the return from Epsom, giving Levi Woodbury *eighty-one*, and Samuel Dinsmoor *one hundred and forty* votes, it not appearing therein that the votes were declared in open town meeting : the return purporting to be from Sandbornton, giving Levi Woodbury 289, Samuel Dinsmoor 70, and David L. Morrill 3 votes, no mention being made therein when the meeting was held : the certificate from Wilmot, giving Levi Woodbury 32 and Samuel Dinsmoor 62 votes, not being returned within the time prescribed by the constitution. From the towns of Brookline and Coventry no returns were made.

Which is respectfully submitted.

JOHN WOOD, for the committee.

Which report was accepted.

On motion of Mr. Hubbard, of the House,
The convention adjourned, to meet again.

In Senate.

On motion of Mr. Colby,
Voted, that the Clerk be directed to procure fifty printed copies of the Rules of the Senate for their use.

A vote, that Messrs. Hubbard, Bellows, Fletcher, Claggett, Rogers of Henniker, Doe, Bartlett of Dover, Stark, Wilson of Lancaster, and Dana, with such as the Senate may join, be a committee to wait on the honorable Levi Woodbury and inform him of his election as chief executive magistrate of this State for the current year ; and that the Legislature will be ready, at such time and place as he may appoint, to receive such communications as he may please to make—was brought up by the Assistant Clerk, read and concurred, and Messrs. Colby and Cogswell joined.

The Hon. Ezekiel Morrill, elected by the convention to supply the vacancy in district No. 4, was introduced by the Secretary, and took his seat in the Senate.

A message was received from the House of Representatives, by the Assistant Clerk, who presented the following report of a committee, and the acceptance thereof, in that branch of the Legislature.

The committee appointed to report the order of procedure, to be observed in the public performances of this day,

REPORT,

That the procession shall form, precisely at eleven o'clock, in front of the Capitol, as follows,—

1. Military Escort.
2. Committee of arrangements.
3. His Excellency the Governor and the honorable Council.
4. Secretary, Treasurer, Adjutant and Commissary General.
5. The preacher of the day and the chaplain of the Legislature.
6. Rev. Clergy of all denominations.
7. The President and professors of Dartmouth College.
8. Senators and Representatives of the United States.

9. Officers of the United States' army and navy.
10. Judges of the Superior Court and all courts of record in the State, and Sheriffs of the counties.
11. The President of the Senate, the honorable Senate and their Clerks.
12. The Speaker of the House of Representatives and the members four deep, with their Clerks.

Marshals of the day.

Messrs. Hubbard, Cobb, Wilson of Lancaster, Wilson of Gilmanton, Peabody, Bowers, Jones of Enfield, Bellows, Thom.

JAMES POOLE,
for the committee.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, June 5, 1823.

The foregoing report was read and accepted.

Sent up for concurrence.

A. PEIRCE, *Speaker.*

Which report was considered in the Senate, and accepted.

The following report of the joint committee appointed to inform the Hon. Levi Woodbury of his election to the office of chief executive magistrate of the State, and the acceptance thereof in the House of Representatives ; was brought up, read, and concurred,

Mr. Colby, for the committee appointed to notify the Hon. Levi Woodbury of his election to the office of chief executive magistrate, for the ensuing political year, and that the Legislature will be ready, at such time and place as he may appoint, to receive such communication as he may please to make,

Reported,

That the committee had attended to the duty assigned them ; and that his Honor, the Governor elect, was pleased to observe, that he had a grateful sense of the confidence his fellow citizens, by their suffrages, had reposed in him, and of the high responsibility of the trust they had confided to him ; and that, for the pur-

Thursday, June 5, 1823.

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pose of attending to the duties and observances necessary on his acceptance of the office, he would meet the honorable Senate, and the honorable House of Representatives, in the Representatives' Hall, at 11 o'clock this forenoon.

A message was received from the House of Representatives, by Mr. Hubbard, informing, that the House were ready to meet the Senate in convention, to receive his Honor Levi Woodbury, the Governor elect, and to attend to any communication that he might think proper to make.

On motion of Mr. Wallace,
Voted, to meet the House forthwith in convention.

In Convention.

The Senate having proceeded to the Hall of the House of Representatives, his Honor Levi Woodbury, the Governor elect, attended by the committee appointed to notify him of his election, and the honorable Council, came in, and addressed the respective branches of the Legislature as follows :

Mr. President of the Senate, and

Mr. Speaker of the House of Representatives,

A highly respectable committee, with a politeness which merits my warmest thanks, have informed me of my election to the office of chief magistrate of this State. I have concluded to accept that responsible trust, and am now ready to take the oaths prescribed by the Constitution.

He then took and subscribed the oath of office, which was administered by the honorable David L. Morrill, President of the Senate ; who then, in presence of both branches of the Legislature, declared his Excellency Levi Woodbury Governor of the State of New-Hampshire for the present political year ; and, according to long established usage, presented him with a copy of the Constitution, as a directory in the discharge of his official duties.

His Excellency the Governor and the honorable Council then withdrew, and the Senate returned to their Chamber.

In Senate.

On motion of Mr. Poole,

Ordered, that when the Senate adjourns, the adjournment shall be to 4 o'clock, P. M.

Adjourned accordingly.

THURSDAY AFTERNOON.

Met according to adjournment.

A message was announced, and Mr. Secretary Sparhawk came in, and presented the following Communication from his Excellency the Governor, on the public business of the session.

MESSAGE.

*Gentlemen of the Senate, and
House of Representatives :*

My elevation to the office of Chief Magistrate of this State was altogether unexpected; and the approbation such a distinguished honour seems to bestow on my past conduct, deserves the most grateful acknowledgment. But a consciousness of inability to discharge a trust of this importance, in the manner required by our public interests, would have deterred me from accepting it, had not so strong an expression of the people's confidence inspired hopes that the charity and candour, hitherto experienced, will be continued towards my humble endeavours to be useful.

Animated by such considerations, and relying upon that Providence, without whose blessing all human exertions are fruitless, and upon the wisdom of the Council, whom the constitution has made my advisers, I have entered on the arduous duties assigned me, and take this opportunity to tender you assurances of my cordial co-operation in any measures, which may be required by the great principles of our government, or the true interests of the State.

Among the most sacred of those principles, my education and political faith have always led me to rank the general diffusion of knowledge, equality of rights, liberty of conscience, and a strict accountability of all public servants. In regard to those interests, it would be presumption to attempt a more just enumeration of them than is contained in the injunction of our Constitution, that "it shall be the duty of the legislators and magistrates in all future periods of this government to cherish the interests of literature and the sciences, and all seminaries and public schools; to encourage private and public institutions, rewards and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural history of the country; to countenance and inculcate the principles of humanity, and general benevolence, public and private charity, industry and economy, honesty and punctuality, sobriety, and all social affections and generous sentiments among the people."

These expressions indicate, that our Fathers considered the subject of education as the first in magnitude among the general concerns of legislation; and their strong conviction of its importance called forth the additional remark, that "knowledge and learning, generally diffused through a community," were "essential to the preservation of a free government." The excellence of knowledge and learning in this respect consists much in their tendency to cherish habits of mental occupation, to rectify errors in opinion, to excite benevolent feelings between persons separated by party or religious belief, and, while inspiring the heart with virtue and honour, to disclose the real extent of our powers, rights, and duties.

Under the influence of such views, the policy of this State has improved, till the money employed in the free instruction of its citizens, is thought to exceed what any other government of equal resources may raise for a similar purpose. Besides an annual tax for schools of ninety thousand dollars, considerable sums in aid of it are expended by spirited individuals;

and a Literary Fund, to be hereafter appropriated, is accumulating at the rate of about five thousand dollars a year. The system in force in these schools enables the humblest parent to impart to his children all that knowledge of reading, writing, and arithmetic, grammar and geography, which the transaction of the common business of life requires; and of late years in the higher branches of these studies, a zeal for improvement has appeared, particularly among females, which promises signal benefits to society. Females instruct us all at an age when impressions are most durable; and through life they exert a sovereign influence over taste and fashion. No method, therefore, can be devised, which encourages so just hopes of a reform in the intellectual condition of a people, as by the more general diffusion among that sex of studies and sciences conducive to practical usefulness. But with us any favourable change of this kind must originate in our free schools, because in them the affluent of both sexes acquire the elements of knowledge, and nearly all the poor and middling classes begin and complete their education. For these and other reasons, too obvious to need recital, constant inquiries should be made, whether the advantages derived from these schools cannot in some way be enhanced. Great as these advantages now are, it is manifest that perfection has not yet been obtained in the selection of the books in common use, or in the efficiency and economy of the present modes of instruction, and without question the minds of both parents and children are susceptible of still deeper impressions as to the unspeakable importance of improving their present opportunities. I would, therefore, with respectful deference to your own observations on this subject, recommend, that our Inspecting Committees be required to make to the legislature annual reports of the books and studies, together with the number, sex, and age of the scholars in their respective towns. New light would thus be thrown upon the object of your inquiries, and beside the salutary excitement from such a measure;

the details it would furnish might suggest many legal provisions of lasting usefulness.

Whether in a State of our limited revenue it will ever be practicable to endow with sufficient funds a free University, may admit of doubt. The expense of necessary buildings, library, philosophical apparatus, and competent professors, is formidable, and would seem to require that aid from the ampler resources of the nation, which a few years ago was confidently anticipated. But aid from that quarter having since become doubtful, our Literary Fund might be permitted to accumulate till the question receives a final decision; or, abandoning hopes of an institution, calculated to reflect such honour on our character, and, at the same time, confer so many advantages on the people at large, this Fund might now be employed, with usefulness to the cause of letters, in the patronage of PUBLIC colleges and academies, not strictly free, or in donations of globes and maps to the use of our common schools, or in the establishment in each county of a short course of lectures on subjects of agriculture, mechanics, and the general application of the sciences to the arts and the business of life. It affords gratification to reflect, that however small in appearance may be any improvement adopted concerning education, benefits of very considerable extent will probably ensue from the impulse it may give in the pursuit of knowledge to that large class of ambitious yeomanry, who constitute the bone and muscle of the State.

The promotion of "Agriculture" appears to have occupied the next rank in the estimation of those patriots, who braved the perils of our revolution, to secure the great interests of society on the foundation of fixed principles. So high an estimation of agriculture was well warranted by the circumstance, that nearly all our population, either for a constant or occasional employment, have been accustomed to the cultivation of the earth; and that the necessity of this pursuit to the support of every other, and the permanent increase of value it imparts to the soil, independent of its annual

products, stand among the first truths in political economy. These truths may have been strengthened in their influence by the moral worth, which has always distinguished a people devoted to this primitive occupation of the human race. Its importance in our country, as the source of national wealth, is conspicuous, and needs no stronger illustration than the striking fact, that the products of agriculture constitute about forty of the fifty millions of the annual exports from the United States from domestic sources. The quantity from this State alone cannot be ascertained with much certainty. But as the Custom-House books, the last year, exhibit an amount of agricultural exports from our only sea-port equal to forty-three thousand nine hundred and one dollars ; as the lumber, more than one half the value of which is derived from agricultural labour, amounted to fifty-one thousand seven hundred and one dollars more ; as produce to the value of about thirty-eight thousand dollars was carried away in the coasting trade, and does not appear on the Custom-House books ; and as the quantity of these articles, raised and transported from other parts of our territory to Massachusetts, Maine, Connecticut, and Canada, is undoubtedly from seven to nine times more than what is exported from Portsmouth, I am inclined to think, that our total surplus produce from agriculture approaches very near a million of dollars.

When we advert to facts like these, and consider that, in A. D. 1791, the agricultural exports from our sea-board were not one-third of their present amount, and from other parts of New-Hampshire, in consequence of their more recent settlement, must have been in a proportion still smaller, it would seem impossible to feel indifference towards the increasing magnitude of this branch of industry. The commendable attention, which for some years the legislature have bestowed on its advancement, has kindled much emulation, and opened an avenue to many improvements ; and, what exceeds all price, the intelligent farmer is rising rapidly to that rank and respect in society, which persons of inferior usefulness have too often

engrossed. But permit me to suggest, that still further advantages would accrue, if more particular inquiries were directed to the different kinds of cultivation, grains and stock, which are adapted to any peculiarities in our soil or climate. The discovery of these peculiarities, some of which exist in every county and almost every neighbourhood, is now a far greater desideratum than knowledge of general husbandry, since treatises, connected with that, have been multiplied from some of the earliest profane writings down to the very ingenious essays of our own Board of Agriculture. Nothing could contribute to advance this end with more rapidity than an Agricultural survey of the State. Such a measure would excite on these subjects renewed and deeper interest,—would tend to combine the researches of science with the practical fruits of experience, and to correct numerous local errors in every branch of husbandry ; the leading chemical properties of the soil in different ranges and at different heights and latitudes in the State would thus be tested, and its peculiar fitness for different crops, and its want of different manures in some degree ascertained ; its natural growth of valuable trees, plants and grasses might be made known ; its rocks and metals so far examined as they may indicate the quality of the earth for any particular cultivation, or unfold its riches in regard to lime, plaister, coal, iron and other articles of general utility ; the different practices in relation to the same crops, and the improved instruments of labour in different sections of the State be noted ; and, in fine, every fact collected, which may be thought conducive to agricultural prosperity and a better acquaintance with the great resources of our soil. Such a measure would likewise promote a knowledge of “the natural history of the country,” which is another injunction of the Constitution on all “legislators and magistrates.”

The estimated expense of this survey does not exceed three hundred dollars to each county. If this sum should appear too large for a single appropriation, it might be divided between two or three succes-

sive years ; and whether advanced by the county societies, or the State, would prove a mere loan to be repaid with little delay and at the highest interest by its advantages to the community.

Before leaving a subject of such general interest, it may be pardonable to advert to a few changes in the agricultural economy of the people of this State, which appears to merit your favourable countenance.

We ought to import none of our bread-stuffs. For though political philosophy forbids sudden shocks to the existing order of things, and though some pursuits disagree with the taste and local condition of our population ; yet, with these limitations, convenience and profit require us to obtain from our own labour or neighbourhoods all the necessaries of life. Where wheat, sufficient for domestic consumption, cannot be raised with success, though such places are here fewer in number than was once apprehended, the use of it should yield farther to grains, which long experience has proved to be equally conducive to health and more congenial to some of our soil. It is another reproach, that with pasturage in such excellence and abundance, more wool is not grown here for the domestic demand of the United States—a demand so large as to cause, during the last year, an importation of raw wool to the value of three hundred and eighty-seven thousand dollars.

It has been ascertained, also, that we can raise the Leghorn as well as the common straw, and possess native grasses, which are elegant substitutes for both ; yet, the value of hats and bonnets, imported into this country the past season from Italy alone, amounted to six hundred thousand dollars ; and it is feared, that our fair friends, many of whom are distinguished for ingenuity in the manufacture of these articles, have paid almost a full proportion of this unnecessary tax.

The value of the coffee and tea, brought into the United States in the year ending September, A. D. 1822, after deducting what was re-exported, amounted to about five million of dollars ; and though with us, as elsewhere, the vitiated appetite for these foreign

luxuries is seated with such firmness as to preclude hopes of reform either speedy or thorough ; yet, a gradual substitution of other vegetables of our own culture is practicable and increasing, and deserves the encouragement of every friend to domestic economy.

The connection of some of these subjects with manufactures imparts to them additional importance. At the time our constitution entrusted to us the protection of "Manufactures," as well as of "Agriculture," the annual exports from the former on our seaboard were less than five thousand dollars. In A. D. 1822, they were forty-three thousand four hundred and seventy dollars. Considering that in the variety of other outlets to manufactures, the increase must have been nearly proportionate, and is swelled even by our exports from granite and soapstone ; considering, likewise, that manufactures often furnish a market of the highest value and constancy to agriculture, and that those, called household, contribute no less to wealth and diligent habits than to domestic comfort, we should not refuse to manufacturing industry that patronage, which its magnitude merits. But remarks of this kind are made with no view to solicit favor for manufactures, unfitted to our state of society, and neither connected with the internal resources, nor intended to supply the necessities, so much as the luxuries of our people. These last articles form legitimate subjects of foreign commerce. On the contrary, I would cherish such manufactures as our wants, our means, and our permanent interests may warrant. Thus, the cultivation of flax deserves increased attention ; because this plant thrives richly on our soil, and, in addition to the valuable manufacture from its seed, the domestic fabrics from the stalk promote family industry and afford a fair profit to agriculture. Without any change in the national tariff, impairing its productiveness as a source of revenue, a discriminating zeal might also furnish New-Hampshire from her own establishments with a greater portion of her bar and cast iron, with most of her lime and sugar, and with all her cottons, woollens, glass, paper and nails. Nature has lavished upon us

many of the raw materials for these manufactures; our hills are clothed with abundance of wood for furnaces, and almost every district is enriched as well as adorned with the finest falls of water for machinery.

The policy now recommended has been enforced by my immediate predecessor with an ability, which makes further comment useless; and the wisdom of such a policy is confirmed by the fact, that a disposition among us in past years to favor manufactures has introduced here and established some of the largest capitals in New-England.

As an encouragement to "arts" and "trades," the exercise of which by our mechanics furnishes many of the comforts of life, and in the improvement of implements of husbandry, is a source of much public wealth, I would suggest the propriety of assigning some spare room in the public buildings in this place for the deposit of specimens of their ingenious labours. Under the eye of the legislature and the care of the Board of Agriculture, all inventions of an useful character would thus become known and with rapidity and profit might be disseminated over the State.

The promotion of "Commerce" is another subject committed to your care by the constitution. But the powers of the general government over that branch of industry are so paramount, and have been exercised such a length of time, and in many respects with a liberality so judicious, that little remains for State legislation. All, which our foreign commerce can expect from us, is a discreet patronage of agriculture and manufactures, so as to create more surplus materials to feed this commerce, and a due attention to the facilities for transporting those materials to our own sea-board, wherever our own sea-board is able to furnish a market equal in convenience and excellence to that of other States. This mutual dependance between these great departments of industry ought to produce between them harmony rather than jealousies, and is doubtless a provision of Providence to combine all the energies of society in the advancement of human happiness. It must, therefore, be a gratification to our

citizens of every profession to learn, that, though a large portion of the imports and exports of New-Hampshire help to fill the custom-house records in other States, yet a gradual increase of both at our only sea-port has made its way through many severe calamities. Since A. D. 1791, when the whole amount of each of them was less than one hundred and fifty thousand dollars, the annual imports have risen to an average for the last five years of four hundred and fifty-five thousand six hundred and eighty-seven dollars, and the exports to three hundred and forty-five thousand eight hundred and seven dollars.

Our inland commerce, by means of roads, bridges and canals, is a subject of more general solicitude. Its connection is more immediate with the interests and enjoyments of every class of people, and some diversity of opinion prevails, whether the constitution of the United States permits us to receive the aid of Congress in this species of internal improvement. But the temptation to raise surplus produce and the value of it when raised being in a ratio with the excellence of the means to transport it to market, and no prospect existing of the present assistance, whatever may be the power, of our national government to improve these means in New-Hampshire, it would ill comport with the foresight required in public affairs to withhold from these means any encouragement, which the smallness of our resources and the frugality of our policy may justify.

Every facility should be afforded to open and straighten roads leading to the nearest markets from different sections of the state. Improved methods should, if possible, be devised for expending in their repair the large sums annually raised by fines and taxes. And the substitution of canals, where it can be effected at a moderate expense, is such a gain in the cost of transportation as should make them objects of continual solicitude. The price of freight on waters by nature navigable, compared with the expense of transportation on land, is, for short distances as one to twelve, and for long distances, as one to a hund-

dred ; and where navigation is aided by art, the average proportion is estimated by engineers to be one to twenty. But in our uneven and rocky soil, the difference is less, though, wherever the smallest part of the expense of land carriage can be saved by canals, they become an object of public consequence. In countries, whose population and business are on the increase, the usefulness of canals to community is often accompanied by a large profit to stockholders ; and though this last result has not yet happened in more than two or three instances of our own improvements on the Connecticut and Merrimack rivers, still in England the dividends on fifteen canals have averaged over thirty per cent. ; and as their erection and repair are now better understood, the capital hereafter invested in them in advantageous routes, is likely to be productive.

One of these routes between Dover and Alton has before received legislative attention. But the estimated expense at three hundred and fifty thousand dollars, has appeared so formidable as to dishearten private enterprize, and perhaps, without national aid, would render questionable the future expediency of a canal the whole distance. Leaving a portage, however, of six miles, where the fall is greater than in all the other twenty miles from Winnepisiogee lake to tide water, it might be sound economy to encourage a canal the rest of the distance, and the comparative expense would be trifling to connect the same lake and the Pemigewasset at Plymouth, by a canal in the direction of the Squam ponds. In this route, Plymouth lies only eighty-five miles from the sea-board, and more than half that distance is now water navigable by nature without any aid from art.

But further remarks on subjects connected with our inland commerce are unnecessary, since their importance to the public has not heretofore been overlooked, and since reflection must convince all, that the advancement of some of these objects may contribute not only to the agricultural prosperity of the State as now settled, but to the more speedy occupation of our un-

settled lands by a surplus population, which otherwise might emigrate and cover the forests of remote States with the fruits of their industry. Measures of this two-fold tendency, directed to improvements either in our Western, Central, or Eastern roads and waters, promise the greatest utility; and if, by an equal and judicious policy, some of them at the same time should happen to enlarge our foreign commerce, or lessen our dependance upon other governments for a market, these incidental consequences cannot fail to enlist more strongly in their support the patriotism of all, who cherish a just sense of State pride and ambition. Such a policy is the only one worthy an enlightened people, and would be most benignant in its influence on sectional jealousies, and in allaying those angry and vindictive feelings, which faction, folly, and ignorance are apt to inflame. But in a State so limited in territory and resources, it is probable that no new legislative appropriation to these objects will ever be expected, unless, where the wild lands of the State may receive peculiar benefit from new roads or canals, it should be deemed expedient to apply the proceeds of part of those lands to objects so directly calculated to raise the value of the remainder.

Among the miscellaneous subjects, to which a sense of duty impels me to invite your attention, are a few changes of inconsiderable magnitude in our Statutes. Laws should not be subjected to great or frequent alterations; because every essential change in the rules of property, of personal rights and their remedies, requires new labour to understand those rules, and till the change receive a judicial construction, questions remain unsettled and much expense is incurred. But small alterations are attended with less hazard and are often necessary to meet the alterations, which time produces in the condition of society.

In our criminal code, I would suggest the propriety of a distinction between the length of hard labour in the State's Prison on a first and on a second conviction. The decreasing expenses of that Institution, which, from an annual tax of about two thousand dol-

lars, have become less than the value of the labour performed in it, and the diminished number of convicts, which from seventy-five has fallen to fifty-eight, are sources of sincere congratulation. The difference in these respects between this and other States, furnishes a high compliment to the morals of our people and the vigilant economy of our Warden. Thus in Connecticut, the number of convicts, compared with their population, is nearly double what it is here ; in Vermont, it is more than double ; in Massachusetts, it is treble ; and in New-York, it is four times as great. In the third State mentioned, where the population is little more than twice our own, the commitments are said to have been ninety-five during the last year only ; being equal to almost half the whole number committed here since the erection of our Prison in A. D. 1812. It will be unnecessary to enter into any detail of the comparative expenses, when it is known, that our whole cost for food to each convict in the year just ended has been no more than fourteen dollars and nine cents, and for clothing and bedding no more than seven dollars and sixteen cents. I mention this fact to furnish, also, a useful hint concerning the necessary expenses of paupers ; and though on this occasion, no new suggestions will be offered in check of the great moral leprosy, our system of poor laws is calculated to spread, and though a thorough reform in them, while supposed to encounter some of the noblest sympathies of humanity, may well be approached with reluctance : yet public enquiries on this subject should never sleep, as within a few years, legislative discussion alone has aided, if not excited, an improved economy in the pauper police of many towns.

Coroner's inquests, without affording any assistance in the administration of justice, often prove a source of inconvenience and pain to the jury, and impose a large tax on the county treasuries. If, in cases of sudden death, attended by secrecy and suspicion, inquests sometimes help to calm popular feeling, I would recommend, that hereafter they be held only at the ex-

pense and special application of persons, who in any particular case may entertain that opinion.

The care recently bestowed on our Militia was merited by the importance of so valuable an institution.— But the principal object which can be attained by it in peace, is the preservation of good arms in the hands of the people, with a view of self defence against lawless aggression, and a constant readiness to meet any public emergency of usurpation or war. Yet our last returns exhibit a deficiency in muskets of nearly five thousand—a number equal to one fifth of our whole Infantry. A remedy for so alarming an evil appears to merit enquiry. Some persons entertain a belief that the present system is attended by evils of a moral and pecuniary character equally alarming in consequence of the temptations it presents to intemperance and idleness, and the burthens it imposes on the labouring classes of society, in unsuccessful attempts to perfect their discipline. But one annual inspection of arms would always seem indispensable ; and though a relief from all other military duty might obviate many objections, and merits the consideration of the legislature, yet a change in our Militia, even to this extent, ought not to be hazarded, if it would tend to impair the efficiency of what our Constitution pronounces to be the “proper, natural, and sure defence of a State.”

Recent experience seems to designate, with sufficient certainty, some useful changes in our Statute concerning the choice of Representatives to Congress.

The compensation allowed by Statute to Judges of Probate is supposed to be an inadequate reward for their services ; and although custom may warrant them in receiving sufficient fees beyond what the letter of the Statute allows, yet it deserves consideration, whether it is safe for them or for the public, that their emoluments should depend upon the vague and various usages of the several counties, and whether it might not remove embarrassments and promote impartiality and correctness in business, either to make the fee-bill more comprehensive and explicit, or to pay the judges by a fixed salary out of a fund collected from probate proceedings.

We are reminded by the Constitution, that in "order to reap the fullest advantage of the inestimable privilege of the trial by jury, great care ought to be taken, that none but qualified persons should be appointed to serve, and such ought to be fully compensated for their time, travel and attendance." Should the legislature advert to the value of the rights, the amount of property, and the difficulty of those inquiries, often submitted to a jury, no care could appear too great in the appointment of persons competent to a task of such arduous responsibility. If the names in the jury boxes were less numerous, the chance for the selection of "none but qualified persons" would be increased; and, if the present fees are insufficient to ensure the cheerful services of citizens most distinguished for integrity and good sense, joined with firmness and experience, it would doubtless promote the public interests to compensate jurors more "fully for their time, travel and attendance." This could be effected at the expense of litigants, or the county, as sound economy may dictate. On caution in the appointment of jurors, one further consideration, partly political and altogether paramount to any narrow calculations about office or emolument, arises from the fact, that in proportion as jurors are well qualified, their verdicts will not only exhibit greater accuracy, and the artifices of injustice encounter greater obstacles; but the trial by jury—that great Palladium of civil rights—will acquire from the public still higher veneration and confidence.

Under our system of jurisprudence, almost every argument in favour of good jurors applies with increased force in favour of good judges. Indeed, a Judiciary, enlightened and "independent," as well as "impartial," seems by the Constitution to be considered "essential to the preservation of the rights of every individual, his life, liberty, property and character." It is, therefore, necessary, that you, who are entrusted with the important power of giving force and efficiency to that department, should examine, from time to time, whether any change would impart to it a higher degree of usefulness.

So far as usefulness depends on the form of any system, the first object should be to carry the business to that tribunal, whose judgment is final, with no more delay and cost than are unavoidable in an adherence to other judicial principles. The next object is to have such a number of judges and such a frequency in the terms as to ensure due attention and despatch to the business. In respect to the administration of any system, all considerate men will agree, that the judges, no less than the jurors, should be selected and compensated so as to cause a performance of the business in the best manner; or, in other words, so as to obtain and preserve in this arduous service those citizens best qualified by their virtues, talents and studies to transact the judicial business of the State. In forming an opinion, whether the present condition of our judiciary is fitted to answer these ends, it should not escape consideration, that within the last thirty years, the wealth and population of New-Hampshire have nearly doubled, and of necessity have produced some increase in the number of litigated actions; that the practice of saving each year about one hundred questions of law to be examined in vacations, is a great addition to judicial labour; that this change, together with the progress of law as a science, and the consequent improvement of the bar, renders superior qualifications requisite in judges to command proper confidence; that their expenses by travel and by the greater number and duration of the terms are much enhanced; and, in fine, that the trial of all jury actions in the State, which were formerly divided between two tribunals—one at times of four and the other of six, twelve and eighteen judges—is now devolved, with the increased fatigue and responsibility beforementioned, on only three men, whose salaries combined do not equal the compensation to many single judges elsewhere.

After due enquiry, should you conclude that our present system, among many excellencies, possesses some defects, but that these are of a character, which can be remedied by the addition of another judge and

of other terms, where desirable to prevent cost and delay, and still leave its incidental expenses much less than those of any other system, no reasons of a public nature have occurred to me, which would justify an abandonment of it.

As to a change in the compensation of the judges, the question should be settled on a reference to the facts above named, and on the broad principles of an enlightened policy. While a course vacillating and short-sighted, whether in public or private affairs, leads to waste and extravagance; care is at the same time necessary to prevent inroads on those frugal habits, which form so strong a safeguard to the morals and prosperity of small States; and it will remain for you alone to decide, whether a moderate increase in the salary of those officers would, under existing circumstances, tend to danger of this kind, or exceed the bounds of expediency and justice. To guard against misconstruction, it may be added, that if you impose a larger fee on the entry of actions in order to meet any change without a burthen on the treasury; and if a part of this fee should be assigned to the clerks, who collect it and whose very faithful services receive much less reward now than formerly, I am not aware that an additional compensation to any other officers in any other department of our government is either needed or desired.

In connexion with judicial concerns, I may be excused for one further suggestion. The cautious spirit of a Republic seems to dictate, that some limit should be fixed to the discretion of Courts in awarding fines and imprisonment for contempts and offences at common law. Without such a limit, unless we are blessed upon the Bench with angels in the form of men, no small danger of oppression must exist in periods of party violence, and in cases where the judges themselves may have been victims of wanton calumny.

It is a distinguishing feature in governments like ours, that the people are entitled to such information on all public business and expenditures as may con-

duce to economy, or throw light on the administration of the various trusts, confided to their agents. I would therefore repeat, in substance, a remark of the vigilant statesman, who retired from this chair in A. D. 1819, that the above ends would be promoted, a useful check imposed on mistakes, and in time a valuable body of statistical facts collected, if not only inspecting committees, but county treasurers, clerks of courts and registers of probate, were required to make to the legislature annual reports of the quantity and character of the business, connected with their respective offices.

The gradual increase of our small library at the seat of government, is another object of some public consequence. If confined to works on Political Economy, National Law, State Trials, and Parliamentary Debates, the necessary appropriation would be trifling, and beside the credit of such a proceeding to the legislature, the advantage to be derived from recourse to books of this kind on questions of Order, Impeachment, Addresses for removal of officers, and important measures of State policy or State rights, must be obvious to every intelligent politician.

In the deficiency of surplus funds for this or the agricultural purposes before mentioned, permit me to inquire whether public expediency would not justify you in obtaining them by a small fee for licenses to retailers of spirituous liquors. In each town, this fee might be paid to the selectmen, and by them to the State Treasurer, and in the end, to a considerable extent, it would prove a tax on intemperance. By indirect means, the legislature might thus promote that "sobriety," which the Constitution urges them to "inculcate;" and by employing the money to advance some useful industry, or the cause of literature, would contribute something to the interests of morality and piety.

Often as I have adverted to the Constitution, it is hoped a sufficient apology may be found in the purity of those principles, which pervade this solemn char-

ter of our liberties, in the oaths of us all to support it, and in the impressive admonition of our Bill of Rights, that a "frequent recurrence to the fundamental principles of the Constitution," "is indispensably necessary to preserve the blessings of liberty and good government." In truth, gentlemen, it is our State Constitution, State laws, State interests, and State resources, with which we, as State officers, are immediately concerned; and, without turning aside to discuss any prominent measures of our national government, the importance of which, however, cannot be too highly estimated, or to express, at length, what we all doubtless feel—deep sympathy with struggling Greece, and the triumphs of Spanish freedom in either hemisphere,—I have found leisure to invite your attention only to our own local affairs. The character and dignity, no less than the interests of this State, as an independent sovereignty, seem to appeal to the legislature to give a new impulse to her energies, and for all domestic purposes to take a lead in cherishing among our citizens a bold reliance on their own enterprise, and on the strength and excellence of their own institutions, and hereafter, as far as possible, to retain at home and perpetuate that hardy spirit of valour, adventure, and industry, which in war has always distinguished our soldiery, and in peace, beside giving fertility to our stubborn soil, has joined the advanced guard of civilization, both on the Western and Eastern frontiers of the Union. Another incentive to this policy may be derived from the reflection, that however limited, in comparison with some States, may appear our present wealth and numbers, yet we are richer than many in a mild code of equal laws; richer in systems of education, literary and religious; richer in the frugality and morals of our yeomanry; richer in improving roads, light taxes, and a healthy climate; and, if the sentinels of our interests persevere in a policy worthy the destinies of a free State, and the age in which we live, the tide of emigration must long be checked. Before the close of the pres-

ent century, should our numbers multiply to a million, the increase would not be so rapid as has occurred here within the last hundred years—and we should not then exhibit so dense a population as now covers many countries of much less natural fertility in Europe and Asia.

Should the sanguine also anticipate that by such a policy the character of this population for every human excellence, may surpass that of the purest republics of antiquity, their hopes will not appear altogether delusive, if we look to the advantages just enumerated, to the flood of light pouring upon the world from modern science, and to those benefits from the diffusion of Christianity, which exceed all ordinary calculation ; or if we reflect, that within two centuries since the axe of the husbandman was first heard in the forests of this State, she has risen from a few huts on her sea-board, and from foreign and feudal subjection, to the full enjoyment of independence ; and after converting her wildernesses into fruitful fields, has animated them with a people equally able to understand and defend their inestimable rights. Nor is there danger, that such a people will ever cease to love their laws and institutions, so long as these continue worthy of their love, by keeping pace with the progress of freedom and knowledge.

*Gentlemen of the Senate, and
House of Representatives :*

I trust that you will not misinterpret my readiness to meet every responsibility belonging to the Executive department, and my use, in all communications with you, of that plainness and frankness, which early habits and opinions teach me should be cultivated between the free agents of a free people.

To expect unanimity of sentiment on topics so diversified, would not be warranted by experience ; and so far as my private wishes are concerned, they aspire merely to obtain credit for industry and fidelity, leaving the usefulness of every suggestion to the scrutiny of temperate discussion, and believing that a tempora-

ry difference of views on subjects of legislation may be entertained with honesty, and will often tend to elicit new light and promote the triumph of correct principles.

The pressure of those judicial duties which have engrossed my attention till the present week, may be some excuse for various errors and omissions in the foregoing remarks; and my regret on account of them is much lessened by the reflection, that every deficiency can be supplied by the variety of talent, the experience and wide extent of observation collected in the legislature.

Suffer me only to add, that it will be my pride to imitate, without presuming to hope I can equal, the judicious example of my immediate predecessors in their general course of administration, and in their conciliatory deportment towards the different sections, sects, parties and interests of the State. A broad motive for the latter part of this policy springs from the fact, that liberality, when it can be indulged with no sacrifice of principle, proves the great source of harmony and strength in popular governments; and under a conviction of this truth, the venerable author of the Declaration of our Independence, long since inculcated upon the whole of his countrymen, that, as "every difference of opinion is not a difference of principle," it becomes "the duty of all good citizens to unite in common efforts for the common good."

LEVI WOODBURY.

Concord, June 5, 1823.

On motion of Mr. Wallace,

Voted, that the clerk be directed to procure one hundred printed copies of the Governor's message as soon as may be.

Adjourned to 9 o'clock, to-morrow morning.

Friday, June 6, 1823.

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FRIDAY, JUNE 6, 1823.

Met according to adjournment.

The following report of the joint committee, appointed to nominate and report some suitable person to officiate as chaplain to the Legislature the present session, and the acceptance thereof in the House of Representatives, was communicated by the Assistant Clerk, read, and concurred.

The committee having taken into consideration the subject matter of their commission, ask leave to nominate the Rev. Daniel Dana, D. D. as a suitable person to officiate as chaplain to the Legislature, the present session.

NEHEMIAH EASTMAN,
for the committee.

In the House of Representatives, June 5, 1823.

The foregoing report was read and accepted.

Sent up for concurrence.

A. PEIRCE, *Speaker.*

A message was received from the House of Representatives, by Mr. Sawyer the Assistant Clerk, who presented the following vote :

Voted, that Messrs. Thom, Parker of Gilmanton, and Kimball of Plainfield, with such as the Senate may join, be a committee to wait on the Rev. Daniel Dana, D. D. and present him with the thanks of the Legislature, for his ingenious and able discourse delivered this day before his Excellency the Governor, the honorable Council, and both branches of the Legislature ; and request of him a copy for the press.

Which was read and concurred, and Mr. Kimball joined.

A vote of the House of Representatives, that the committee appointed to present the thanks of the Legislature to the Rev. Daniel Dana, D. D. be also instructed to inform him of his election as chaplain to the Legislature, the present session, was brought up, read, and concurred.

A message was received from the House of Representatives, informing that the House were ready to meet the Senate in convention, to proceed in the elections agreeably to the constitution.

On motion of Mr. Eastman,
Voted. to meet the House forthwith,

In Convention.

The Secretary came in and laid before the convention, the certificates of the votes for Counsellors, for the several counties, which having been opened, read, and entered,

On motion of Mr. Davis, of the House,
Voted, that a committee be appointed to receive, examine, compare, and cast the same, and report thereon, and Messrs. Atherton, Davis, Hubbard, Hale of Dover, of the House, and Poole, of the Senate, were appointed.

When, on motion of Mr. Sawyer, of the House, the convention arose.

In Senate.

The President announced the appointment of the following standing committees, viz.

On the Judiciary—Messrs. Eastman, Wallace, and Webster.

On Corporations—Messrs. Colby, Boardman, and Gilmore.

On the Militia—Messrs. Poole, Kimball, and Cogswell.

On Claims and Accounts—Messrs. Boardman, Morrill, and Colby.

On Engrossed Bills—Messrs. Webster, Wood, and Eastman.

On Elections—Messrs. Wallace, Cogswell, and Gilmore.

On Unfinished Business—Messrs. Kimball, Poole, and Wood.

Friday, June 6, 1823.

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Mr. Kimball, for the committee appointed to wait on the Rev. Daniel Dana, D. D. and inform him of his election to the office of chaplain to the Legislature, the present session, reported, that they had attended to the duty assigned them, and that the Rev. Mr. Dana informed them that on account of other and indispensable engagements, he was under the necessity of declining the office, to which the honorable Legislature had appointed him. *Adjourned.*

FRIDAY AFTERNOON.

Met according to adjournment.

The following vote of the House of Representatives, was brought up, read, and concurred.

In the House of Representatives, June 6, 1823.

Whereas the Rev. Daniel Dana, D. D. declines the acceptance of the office of chaplain to the Legislature, the present session,

Voted, that the committee who were authorized to nominate some suitable person to officiate as chaplain, be directed to take the subject again under their consideration, and that they report thereon.

A vote of the House of Representatives, that Messrs. Smith of Exeter, Wheeler of New-Ipswich, and Corliss, with such as the Senate may join, be a committee, to adjust and settle the accounts between this State, and the treasurer thereof; and that they report thereon, was brought up, read, and concurred, and Mr. Boardman joined.

A message was received from the House of Representatives, by Mr. Webster, informing that the House were ready to meet the Senate in convention, to proceed in the elections according to the constitution.

On motion of Mr. Colby,

Voted, to meet the House forthwith in convention.

In Convention.

Mr. Atherton, for the committee appointed to examine the returns, and cast the numbers of the votes for Counsellors, and report thereon, made the following report.

The committee appointed to receive and examine the returns from the several towns for Counsellors in this State, and to compare and cast their numbers, have attended to the duty assigned them, and now submit the following report :

That the whole number of votes legally returned for Counsellor for the county of Rockingham, is 7065

Necessary for a choice,	3533
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The honorable Hunking Penhallow having 7007 votes, is duly elected.

In the above estimate the return from the town of Epsom, giving the honorable Hunking Penhallow 219 votes, is not included—for the reason that it does not appear from said return that the votes were declared in open town meeting.

That the whole number of votes returned for Counsellor for the county of Strafford, is 5919

Necessary for a choice	2960
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Hon. Daniel Hoit has	2943
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Hon. Daniel C. Atkinson has	2258
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Scattering	718
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No candidate having the requisite number of votes, a choice of Counsellor for the County of Strafford has not been made by the people.

The whole number of votes legally returned from the several towns in the county of Hillsborough, for Counsellor for said county, is 5966

Necessary for a choice	2999
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Hon. Jonathan Harvey having	5956
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is duly elected.

The return from New-Ipswich, giving the honorable Jonathan Harvey one hundred and fifty-three votes is not included, as it does not appear from said return, that the votes were declared in open town meet-

ing. And the return from the town of Hooksett, giving the honorable Jonathan Harvey one hundred and forty votes, has been rejected, it not appearing that the return is a certified copy of the record. And the return from Wilmot, giving to the honorable Jonathan Harvey, ninety-five votes, has been rejected, the return not having been seasonably made to the Secretary's office.

The whole number of votes legally returned, for Counsellor for the county of Cheshire, is	4833
Necessary for a choice	2417
Hon. Elijah Belding having	4550

is duly elected.

The returns from the towns of Cornish and Westmoreland, giving for the honorable Elijah Belding three hundred and eighty-four votes, and scattering eighteen votes, have been rejected, for the reason that each of said returns, is without the signature of the town clerk.

The whole number of votes legally returned, for Counsellor, for the counties of Grafton and Coos, is	5111
Necessary for a choice	2556
The honorable Ezra Bartlett has	5093

and is duly elected.

CHARLES H. ATHERTON,
for the committee.

June 6, 1823.

Which report was accepted.

On motion of Mr. Hubbard, of the House, the convention proceeded to the choice of a Counsellor to supply the vacancy in the county of Strafford, and the honorable Daniel C. Atkinson, Esq. was elected.

When, on motion of Mr. Toppan, of the House, the convention arose.

In Senate.

A vote was received from the House of Representatives, appointing Messrs. Hubbard, Barker, and Hough, with such as the Senate may join, a commit-

tee to wait on his Excellency the Governor, and inform him that the honorable Hunking Penhallow, has been elected Counsellor for the county of Rockingham; the honorable Daniel C. Atkinson, Counsellor for the county of Strafford; the honorable Jonathan Harvey, Counsellor for the county of Hillsborough; the honorable Elijah Belding, Counsellor for the county of Cheshire; and the honorable Ezra Bartlett, Counsellor for the counties of Grafton and Coos; and to request his Excellency to notify them of their elections, was brought up, read, and concurred, and Mr. Eastman joined.

Adjourned to 9 o'clock to-morrow morning.

SATURDAY, JUNE 7, 1823.

Met according to adjournment.

The Clerk informed the honorable Senate that one hundred printed copies of the Governor's message were now at their disposal, and on motion by Mr. Wallace, the same were distributed, agreeably to an order of the Senate.

On motion of Mr. Colby,

A committee was raised to take into consideration, the message of his Excellency the Governor, and report a reference of the several subjects therein contained: and Messrs. Colby, Wallace, and Gilmore, were appointed.

The following report of the committee appointed to nominate some suitable person to officiate as chaplain, in consequence of the Rev. Mr. Dana's declining that trust, and the acceptance thereof in the House of Representatives, was brought up, read, and concurred.

The committee having considered the subject re-committed to them, ask leave to nominate the Rev. Thomas C. Upham, as a suitable person to officiate as chaplain to the Legislature, the present session.

NEHEMIAH EASTMAN,
for the committee.

In the House of Representatives, June 7, 1823.

The foregoing report was read and accepted.

Sent up for concurrence.

A. PEIRCE, *Speaker*.

The following resolution was submitted by Mr. Poole, passed, and sent down for concurrence :

Resolved, that the committee appointed to nominate a chaplain, be directed to notify the Rev. Thomas C. Upham of his election to that office, and that in case he accept the same, that they notify his Excellency the Governor, and the honorable Council, that prayers will be attended in the House of Representatives, precisely at nine o'clock, in the morning of each day during the session.

A vote of the House of Representatives, that Messrs. Hubbard, Blodget of Rumney, and Kelsea, with such as the Senate may join, be a committee to report what compensation may be made to the Rev. Daniel Dana, D. D. for his discourse, delivered before his Excellency the Governor, the honorable Council, and both branches of the Legislature, on the fifth instant, was brought up, read, and concurred, and Mr. E. Morrill joined.

On motion of Mr. Eastman,

Ordered, that when the Senate adjourns, it shall be to eleven o'clock, in the forenoon, on Monday next.

Adjourned accordingly.

MONDAY, JUNE 9, 1823.

Met according to adjournment.

Mr. Colby, for the committee appointed to take into consideration the message of his Excellency the Governor, and report references of the several subjects therein contained, made the following report :—

That so much of said message as relates to educa-

tion, general literature, and the disposition of the literary fund, be referred to a select committee.

That so much of the said message, as relates to agriculture, manufactures, and the arts, be referred to a select committee.

That so much of said message, as relates to commerce, roads, and canals, be referred to a select committee.

That so much of said message, as relates to changes in the criminal code, compensation to judges, organization of courts, coroner's inquests, and appointments of jurors, be referred to the judiciary committee.

That so much of said message, as relates to the alteration and improvement of the militia laws, be referred to the military committee.

That so much of said message, as relates to a change of the laws, regulating the choice of Representatives to Congress, be referred to a select committee.

That so much of said message, as relates to annual reports, to be made to the Legislature, by inspecting committees, county Treasurers, Clerks of Courts, and Registers of Probate, be referred to a select committee.

That so much of said message, as relates to the increase and improvement of the public library, be referred to a select committee.

That so much thereof as relates to a tax, by imposing licenses on retailers of spirituous liquors, be referred to a select committee.

Which report, on motion of Mr. Eastman, was accepted.

Adjourned.

Monday, June 9, 1823.

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MONDAY AFTERNOON.

Met according to adjournment.

The President announced the appointment of the following select committees, on the respective subjects of the Governor's message, viz.

On that part of the message which relates to education, general literature, and the disposition of the literary fund, Messrs. Eastman, Webster, and Wallace.

On that part of the message which relates to agriculture, manufactures, and the arts, Messrs. Cogswell, Poole, and Kimball.

On that part which relates to commerce, roads, and canals, Messrs. Boardman, Morrill, and Wood.

On the part which relates to changes in the criminal code, compensation to judges, organization of courts, coroner's inquests, and appointment of jurors, Messrs. Eastman, Wallace, and Webster.

On that part which relates to the alteration, and improvement of the militia laws, Messrs. Poole, Kimball, and Cogswell.

On that part which relates to a change of the laws regulating the choice of Representatives to Congress, Messrs. Wood, Colby, and Gilmore.

On that part which relates to annual reports, to be made to the Legislature, by inspecting committees, county Treasurers, Clerks of courts, and Registers of Probate, Messrs. Gilmore, Kimball, and Boardman.

On that part which relates to the increase and improvement of the public library, Messrs. Webster, Wallace, and Eastman.

On that part which relates to a tax, by imposing licenses on retailers of spirituous liquors, Messrs. Poole, Morrill, and Colby.

Mr. Kimball, for the committee on unfinished business, reported,

That having examined the files and journals, the committee report, as unfinished business, the following subjects, viz.

A bill entitled an act authorizing the Superior Court, to appoint auditors in certain cases.

A bill entitled an act to incorporate the town of Paulsburgh, and a petition of Richard Odell and others, praying for a grant of land in Adams.

The honorable Stephen P. Webster, Senator for District No. 12, was introduced by the Secretary of the State, and took his seat in the Senate.

Mr. Eastman, for the committee appointed to nominate a suitable person as chaplain, and to notify Mr. Thomas C. Upham of his appointment to that office, reported, that the committee had attended to the duty assigned them, and that Mr. Upham has informed them, by letter, that on account of previous and particular engagements, it was not in his power, to accept of the appointment which the Legislature had conferred upon him.

When, on motion of Mr. Wallace, the Senate proceeded to the choice of a chaplain, and the Rev. Thomas Beede was elected, and the vote was communicated to the House of Representatives for concurrence therein.

On motion of Mr. Kimball,

The bill entitled an act authorising the Superior Court to appoint auditors in certain cases, reported as part of the unfinished business, was referred to the committee on the judiciary.

A message was received from the House of Representatives, informing that the House were ready to meet the Senate in convention, to proceed in the elections agreeably to the constitution.

On motion of Mr. Colby,
Voted, to meet the House forthwith,

In Convention.

On motion of Mr. Eastman, of the Senate,

Tuesday, June 10, 1823.

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The convention proceeded to the choice of Secretary of the State, and Samuel Sparhawk, Esq. was re-elected.

On motion of Mr. Colby, of the Senate,

The convention proceeded to the choice of a Treasurer of the State, and William Pickering, Esq. was re-elected.

On motion of Mr. Eastman, of the Senate,

The convention proceeded to the choice of a Commissary General, and Robert Neal, jun. was chosen.

When, on motion of Mr. Eastman, of the Senate, the convention arose.

In Senate.

A vote of the House of Representatives, that Messrs. Crosby of Milford, Seward, and Mathes, with such as the Senate may join, be a committee to notify the Rev. Thomas Beede of his election as chaplain to the Legislature the present session, and in case he accepts the appointment, that they notify his Excellency the Governor, and the honorable Council, that prayers will be attended in the Representatives' Hall, precisely at nine o'clock, in the morning of each day during the session, was brought up, read, and concurred, and Mr. Morrill joined.

Adjourned to 9 o'clock, to-morrow morning.

TUESDAY, JUNE 10, 1823.

Met according to adjournment.

- Mr. E. Morrill, for the committee appointed to notify the Rev. Thomas Beede of his election as chaplain to the Legislature, &c. reported, that the committee had attended to the duty assigned them, and that Mr. Beede had accepted the appointment, and that they had informed his Excellency the Governor, and the honorable Council, that prayers would be attended in

the Representatives' Hall, precisely at 9 o'clock, in the morning of each day during the session.

On motion of Mr. Kimball,

Ordered, that the petition for incorporating the town of Paulsburgh, and the act relative to the same, be referred to the committee on corporations.

A message was received from the House of Representatives, communicating the report of the committee appointed from both branches, to examine, adjust, and settle the accounts, between this State and the Treasurer thereof, and the accounts, vouchers, and papers accompanying the same, which were laid on the table.

On motion of Mr. Kimball,

The petition of Richard Odell, praying for a grant of land, which was reported as part of the unfinished business, was referred to the committee on corporations.

The Clerk informed the Senate that the rules and regulations which he was directed to have printed, were now ready.

When, on motion by Mr. Wallace, copies of them were presented to the House, and the residue distributed to the honorable Senators.

A message was received from the House of Representatives by the Assistant Clerk, who presented copies of the rules and orders of the House of Representatives, adopted for their government during the present session.

Mr. Eastman, for the committee to whom was referred the bill authorizing the Superior Court of Judicature to appoint auditors in certain cases, reported the bill without amendment, which was read twice, and on motion of Mr. Wallace, referred to a committee of the whole Senate, and made the order of the day for three o'clock this afternoon.

The following report of the committee appointed to adjust and settle the accounts between this State and the Treasurer thereof, which had been accepted in the House of Representatives, was considered and concurred.

The committee appointed to adjust, and settle the accounts between this State and the Treasurer thereof,

REPORT,

That the Treasurer has exhibited to them, and they have carefully examined the following accounts from the fourth day of June, 1822, to the fourth day of June, 1823.

FIRST.

The account of notes and bonds amounting to	\$ 5,126 34
Discharged by a general cash account for amount received.	
Interest received on note signed by Moses Foss, jun. and others	184 64
Amount of principal and interest received for note signed by Thomas Beach	109 90
Note signed by Moses Foss, jun. and others	831 80
Bond executed by the Treasurer of Dartmouth University	4000 00
	————\$5,126 34

SECOND.

The account of stock in the United States' funds and bank stock, amounting to	146,429 06
Discharged by a general cash account—for reimbursement of principal of six per cent. stock	3,516 52
Amount of six per cent. stock unredeemed	5,173 09
Ditto three per cent. stock	95,134 45
Ditto seven per cent. stock	17,605 00
Ditto N. H. Bank stock	25,000 00
	————\$146,429 06

THIRD.

A general cash account, embracing the following items of credit, viz.

Balance of cash in the treasury, June 4, 1822	11,805 09
Specie taxes outstanding	1,372 86

Cash received of James Poole, for rent of Medical Building at Hanover	23 89
Cash received for interest on note signed by Moses Foss, jr. and others	181 64
Cash received for land sold to J. C. Woods, pursuant to resolve	29 12
Cash received for land sold to Job Eastman, pursuant to resolve	25 00
Cash received for land sold to D. and J. Rogers, and E. Garland, pursuant to resolve	100 00
Cash borrowed pursuant to resolve of the Legislature	12,000 00
Cash received for land sold Wil- liam Jackman, pursuant to re- solve	40 00
Cash received for note signed by Thomas Beach, amounting to	109 90
Cash received for fines of militia exempts	8 00
Dividend and interest on stock in United States funds	8,054 17
State tax for the year 1822	30,000 00
	<hr/> 63,752 67

Which sum is accounted for as follows.

Paid sundry orders drawn by the Executive for the current ex- penses of the government, in- cluding salaries, rolls for trav- el and attendance of the Coun- cil, Senate, and House of Rep- resentatives, appropriations for deaf and dumb children, and expenses of witnesses in the case of Judge Evans	30,237 09
Paid for encouragement of Agri- culture	350 00
Paid for principal and interest of Bank debts	12,341 25

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Paid for extra compensation to	
Warden of the State Prison	150 00
Paid for wild cat bounty	249 00
Paid for expenses of courts martial	305 45
Taxes outstanding prior to the year	
eighteen hundred and twenty-two	936 22
Taxes outstanding for the year	
eighteen hundred and twenty-two	223 40
Taxes discharged by resolve of the	
Legislature, passed June 26,	
A. D. 1822	125 44
Cash in the Treasury June 3, 1823,	
	18,834 82
	-----63,752 67

That the accounts are duly vouched, correctly cast,
and the vouchers are herewith exhibited.

LANGLEY BOARDMAN,
WILLIAM SMITH,
STEPHEN WHEELER,
J. L. CORLISS.

Concord, June, 1823.

STATE OF NEW-HAMPSHIRE.

In the House of Representatives, June 9, 1823.

The foregoing report was read and accepted.

Sent up for concurrence.

A. PEIRCE, *Speaker*.

A vote of the House of Representatives, appointing Messrs. Abbot of Wilton, Carpenter, and Woodbury, with such as the Senate may join, a committee to give information to Samuel Sparhawk, Esquire, of his election to the office of Secretary of State; to William Pickering, Esquire, of his election to the office of Treasurer, and to Robert Neal, jun. of his election to the office of Commissary General, and if they shall accept the said offices, to receive the necessary bonds, and lay the same before the House—was brought up, read, and concurred, and Mr. Cogswell joined on the part of the Senate.

The following message from his Excellency the Governor, covering the report of the Warden of the State Prison, was communicated on the 6th instant.

To the Senate and House of Representatives.

Gentlemen,

I herewith communicate the report of the Warden of the State Prison on the receipts, profits, expenses, disbursements and general concerns of that institution for the year ending May 31st, 1823. This report and the accompanying statement have been made in conformity to the provisions of the law on that subject, and have been duly examined and approved by the board of directors.

LEVI WOODBURY.

June 6, 1823.

REPORT.

To the Honorable the General Court, at their Session in June, 1823.

Agreeably to the act providing for the regulation and government of the State Prison, the undersigned Warden submits the following statement of the receipts and profits, expenses and disbursements, and the general concerns of the Prison, for the year, ending May 31, 1823.

As the receipts of the institution are chiefly derived from the labour of convicts employed in the various branches of business carried on therein, and the disbursements are made in the purchase of provisions and clothing, raw materials, for the pay and subsistence of watchmen and overseers, and for incidental expenses—distinct accounts are kept with the several departments of the Prison, the balances of which are considered as shewing its income and expenditure.

INCOME.

From the Smith's Shop.

Amount of property on hand, consisting of stock and tools, on the 31st of May, 1822,

\$461 22

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Stock since purchased, wages, repairs and other expenses of this department	1457 77	
Making the sums disbursed amount to		1918 99
Received and charged for articles sold, for custom work, and work done for the other departments, the past year	2431 67	
Value of stock and tools on hand, May 31, 1823	642 71	
Making the receipts from this department		3,074 38
Exceeding the sum disbursed, and which may be considered as profit accruing from the Smith's shop, the sum of		1,155 39

Cooper's Shop.

Stock and tools on hand, May 31, 1822	1,361 00	
Stock since purchased, repairs, &c.	583 64	
		1,944 64
Received and charged for articles sold	1430 45	
Stock and tools on hand, May 31, 1823,	79 33	
		2,309 78
Exceeding the sum disbursed		365 14

Stone Shop.

Stock, tools and hammered stone on hand, May 31, 1822	3,728 83	
Stock since purchased, repairs, wages of overseer, &c.	5,328	
		9,056 83
Sales of hammered stone the past year	9,104 60	

Stock and tools, and hammered stone on hand, May 31, 1823,	2,347 59	
	<hr/>	11,452 19
Exceeding the disbursements on ac- count of this department		<hr/> 2,395 36

Shoe Shop.

Stock and tools on hand, May 31,		
1822	236 81	
Stock since purchased	134 13	
	<hr/>	370 94
Received and charged for shoes, &c.	416 27	
Stock and tools on hand, May 31,		
1823	142 17	
	<hr/>	558 44
Exceeding the sum disbursed		<hr/> 187 50
Received for Tailors' work	9 25	
Weaving	1 80	
Interest on debts due	97 26	
Received from visitors	181 58	
	<hr/>	289 89
Total amount of receipts		<hr/> \$4,393 28

EXPENDITURE.

Provisions on hand, May 31, 1822	\$898 92	
Provisions purchased during the year past	1,033 40	
	<hr/>	1,932 32
Provisions on hand, May 31, 1823		<hr/> 1,109 60
Leaving for the amount consumed		822 72
Clothing and bedding, May 31, 1822	494 12	
Clothing purchased the past year	333 30	
	<hr/>	827 42
Clothing on hand, May 31, 1823		<hr/> 412
Leaving for the amount consumed		415 42
Expenses—furniture and fuel, May 31, 1822	382 92	
Amount since paid for wages and		

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subsistence of watchmen, subsistence of overseers, repairs, fuel, &c.	1,845 63
	<hr/> 2,228 55
Deduct for furniture and fuel on hand May 31, 1823	402 23
	<hr/>
Leaves for net amount of expense account the last year	1826 32
Hospital department	60
	<hr/>
Total amount of expenditure	3,124 46
	<hr/>
Balance gained	\$1268 82
	<hr/>

Increased amount of debts due the institution since May 31, 1823, as by schedule B.	2,237 32
Cash on hand May 31, 1823	684 14
	<hr/> 2921 46
Deduct the decreased amount of property, as by schedule A.	1652 64
	<hr/>
Balance gained	\$1268 82

From the amount of the debts at this time due to the institution, being more than seven thousand dollars, and the probability that a portion of them will be realized in time sufficient to meet the disbursements necessary to be made at the Prison; the Warden is of the opinion, that additional aid from the Treasury of the State will not be required. To guard however against unforeseen accidents and unexpected failures, he would respectfully suggest as a sure resource in case of necessity, the policy of appropriating two thousand dollars, to be drawn from the Treasury, if, upon a view of the concerns of the Prison, the Executive Board may deem it necessary. Of the appropriation made last year no part has been drawn.

MOSES C. PILSBURY, Warden.

Concord, June 2, 1823.

SCHEDULE A. *Property on hand.*

	State Prison May 31, 1822.	May 31, 1823.
House Furniture	\$157 34	\$149
Prison do.	150 58	150 73
Fuel	75	102 50
Beds and bedding	241	252
Clothing	253 12	160
Provisions	893 92	1,109 60
Screws	29 85	
Weaver's shop	25	25
Shoe shop	236 81	142 17
Smith's shop	461 22	642 71
Stone shop	3,728 83	2,347 59
Cooper's shop	1,361	879 73
	<hr/> 7,613 67	<hr/> 5,961 03
	5,961 03	
Decreased amount	<hr/> 1,652 64	

SCHEDULE B. *Statement of Debts.*

Due to the Institution, May 31, 1822, on Book	\$4856 92
On Note	1418 05
	<hr/> 6274 97
Owing, May 31, 1822	962 67
Balance in favor of the Institution, May 31, 1822	\$5312 30
Due May 31, 1823, on Book	\$6,998 27
On Note	931 62
	<hr/> 7,929 89
Owing, May 31, 1823	380 27
Balance in favor, May 31, 1823	7,549 62
Increased balance in favor of the Institution, May 31, 1823	\$2,237 32

*Adjourned.***TUESDAY AFTERNOON.***Met according to adjournment.*

The Senate resolved itself into a committee of the whole, Mr. Wallace in the chair, on the bill entitled

an act authorizing the Superior Court of Judicature to appoint auditors in certain cases, and having had the same under consideration, the committee rose and the chairman reported the bill without amendment; which report was accepted.

And, on motion of Mr. Eastman,

The bill was ordered to be engrossed for a third reading, at nine o'clock to-morrow morning.

Mr. Colby, for the committee to whom was referred the petition of Richard Odell, praying for the grant of a tract of land in the town of Adams, reported the following resolution :

Resolved, that Richard Odell, Daniel Pinkham, and Ithamar Seavey, have a grant of two thousand acres of land, the property of the State, in the town of Adams, in the county of Coos, lying between Rogers', Wentworth's, and Treadwell's Locations, and the east line of said town : one hundred dollars of the purchase money, to be paid into the treasury of this State, in June 1824—the purchasers to have a credit on the remainder of the money, by paying the interest thereof annually in the month of June; the land to be considered the property of the State, until the whole sum and interest is paid; and then the Treasurer for the time being, is hereby authorized to give the purchasers a deed of said land, a plan whereof is to be made out, at the expense of the purchasers, as soon as may be, and lodged in the Secretary's office.

A motion was made by Mr. Eastman, that the subject be indefinitely postponed.

When, on motion of Mr. Wallace, the resolve, and the accompanying papers, were ordered to lie on the table.

A message was received from the House of Representatives by Mr. Bartlett, communicating a bill entitled an act to incorporate Isaac Wendell and others, by the name of the Great Falls Manufacturing Company; in which the concurrence of the Senate was

requested, and the bill having passed two readings was referred to the committee on incorporations.

Adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, JUNE 11, 1823.

Met according to adjournment.

On motion of Mr. Wallace,

The resolve reported by the committee on the petition of Richard Odell and others, praying for the grant of a tract of land in the town of Adams, was called up, when Mr. Eastman moved, that the subject be indefinitely postponed.

Which motion prevailed.

Mr. Colby, for the committee to whom was referred the bill entitled an act to incorporate Isaac Wendell and others, by the name of the Great Falls Manufacturing Company, reported the bill without amendment.

On motion of Mr. Eastman,

The engrossed bill, entitled an act authorizing the Superior Court of Judicature to appoint auditors in certain cases, was called up, read a third time, and passed, and sent down to the House of Representatives for concurrence.

Mr. Eastman, for the committee on the judiciary, reported a bill, entitled an act, in amendment of the laws now in force, directing and regulating the appointment and choice of Grand and Petit jurors, which passed two readings, and on motion of Mr. Wallace, was referred to a committee of the whole Senate, and made the order of the day for three o'clock this afternoon.

A message was received from the House of Representatives by Mr. Dana, communicating, for the concurrence of the Senate, a bill, entitled an act to incorporate Daniel M. Durell and others, by the name of the New-Market Manufacturing Company; and the same having passed two readings, was referred to the committee on incorporations.

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A resolve of the House of Representatives, allowing the Rev. Daniel Dana, D. D. the sum of twenty dollars for preaching the election sermon on the fifth of June instant, was read and concurred.

Presented.

The following resolves of the House of Representatives, viz :

A resolve, allowing Clement Storer, sheriff of the county of Rockingham, sixteen dollars and eighty cents in full of his account for returning votes, distributing precepts, &c. &c.

And resolves allowing Thomas Bellows ten dollars and forty-four cents,

John W. Weeks, twenty-seven dollars and twenty-eight cents,

And Benjamin Pierce twelve dollars and ten cents, in full of their several accounts for similar services in their respective counties—were brought up, read, and referred to the standing committee on accounts.

Adjourned.

WEDNESDAY AFTERNOON.

Met according to adjournment.

On motion of Mr. Eastman, the bill, entitled, "An act to incorporate Isaac Wendell and others by the name of the Great Falls Manufacturing Company," was taken into consideration, and read a third time and passed to be enacted.

Presented.

Mr. Colby, for the committee to whom was referred the bill entitled, "an act to incorporate Daniel M. Durell and others, by the name of the New Market Manufacturing Company," reported the bill with the following amendment :

Erase the following words, in the second section, viz: *and branches of trade, as they may from time to time, think fit, in New-Market and the business necessarily connected therewith*, and substitute the words *as they may from time to time, think fit in New-Market, and may carry on such branches of trade, and business, as may be necessarily and conveniently connected therewith*.

Which report, with the amendment, was, on motion of Mr. Eastman, accepted.

And the amendment ordered to be engrossed; and the bill as amended, was assigned for a third reading at four o'clock this afternoon.

On motion of Mr. Wallace,

The Senate resolved itself into a committee of the whole, Mr. Colby in the chair, on the bill, entitled an act in amendment of the laws now in force, directing and regulating the choice of Grand and Petit jurors; and having considered the same, the committee rose, and the chairman reported the bill with amendments, which report was accepted, and the amendments directed to be engrossed, and the bill as amended ordered to a third reading at nine o'clock to-morrow morning.

A message was received from the House of Representatives, communicating for the concurrence of the Senate, a bill entitled "An act to incorporate certain persons by the name of the New-Hampshire Historical Society," which having had two readings, was referred to the committee on corporations.

A message was received from the House of Representatives, communicating for the concurrence of the Senate, a bill entitled "an act in addition to and in amendment of an act entitled an act regulating the office of Coroners," which having had two several readings, was referred to the committee on the judiciary.

A message was received from the House of Representatives, communicating for concurrence a bill entitled "an act to incorporate certain persons by the name of the Walpole Library Association," which having

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passed two readings, was referred to the committee on incorporations.

The bill entitled "an act to incorporate Daniel M. Durell and others by the name of the New-Market Manufacturing Company," was read a third time and passed as amended, and was returned to the House of Representatives for concurrence in the amendment.

The following message from his Excellency the Governor, with the papers accompanying, was communicated yesterday.

To the honorable Senate and House of Representatives.

Gentlemen,

I transmit herewith a letter from the Governor of New-York, enclosing a resolve of the legislature of that State, upon the subject of an amendment of the constitution of the United States.

LEVI WOODBURY.

June 10, 1823.

Said resolve is as follows :

STATE OF NEW-YORK.

In Assembly, April 16, 1823.

Resolved, if the honorable Senate concur herein, that the legislature of the state of New-York, do not concur in the amendment of the Constitution of the United States, proposed by the Commonwealth of Pennsylvania, in the words following, to wit :

" Congress shall make no laws to erect or incorporate any bank or other institution, except within the district of Columbia ; and every bank or other monied institution, which shall be established by the authority of Congress, shall, together with its branches and offices of discount and deposit, be confined to the district of Columbia."

Resolved, That his Excellency the Governor, be requested to transmit a copy of the foregoing resolution to the executives of the several states of the Union, with a request that the same be communicated to the

legislatures thereof; also to the President of the United States, with a like request, that the same be communicated to Congress, that they may be respectively advised thereof.

Ordered, that the Clerk deliver a copy of the said resolutions to the Senate, and request their concurrence in the same.

E. LIVINGSTON, *Clerk.*

In Senate, April 18, 1823.

Resolved, That the Senate do concur with the Assembly in their said resolution.

By Order,

JOHN F. BACON, *Clerk.*

Albany, 31st May, 1823.

Sir—I have the honor to transmit the foregoing copy of a concurrent resolution of the legislature of the state of New-York, which you will be pleased to communicate to the legislature of your State.

Very respectfully, I am,

Your Excellency's obedient servant,

JOSEPH C. YATES.

His Excellency the Governor of the
State of New-Hampshire.

The following message, and the report of the Adjutant and Inspector General, were yesterday communicated by his Excellency the Governor.

To the honorable Senate and House of Representatives.

Gentlemen,

I transmit the return of the Adjutant General, containing an abstract of the number and equipments of the militia of this State. Accompanying it is his letter on subjects connected with the return of the Commissary General, containing an account of the ordnance, arms, accoutrements and military stores, belonging to the State, in his custody.

LEVI WOODBURY.

June 10, 1823.

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The following is a copy of the Adjutant General's letter, alluded to :

*Adjutant General's Office,
Concord, June 10, 1823.*

To His Excellency Levi Woodbury.

Sir—I have the honor to lay before you an abstract of returns of the militia of the State of New-Hampshire for the year 1823, with an account of arms, accoutrements and ordnance belonging to each regiment, (a duplicate of which will be forwarded to the President of the United States) by which you will perceive that the aggregate of light infantry, infantry, grenadiers and riflemen is

25,333

Cavalry, 1,903

Artillery, 1,512

28,778

Making a total, including General and Regimental Staff, of twenty-eight thousand seven hundred and seventy-eight.

It gives me pleasure to add that all the regimental and most of the company returns have been made within the time prescribed by law.

The several quarter master returns of public property in the possession of the militia, have not all been made to this department, but I hope to receive them early enough to enable me to lay before your Excellency an abstract of all the public property either in my own, or the possession of the militia belonging to the State, during the present session of the honorable legislature.

At the last session of the legislature a small appropriation was made for the purpose of repairing the several gun houses within the State, but it fell short of the sum required to enable me to put the same houses in that state of repair, which the preservation of the property for which they are intended, actually required.

Within the last year, a company of Artillery has been duly organized in the 39th regiment, for which

an appropriation will be wanted, for the purpose of furnishing said company with ordnance and apparatus, according to law.

I am happy to have it my power to assure your Excellency that the expense of the militia to the State is considerably diminished, and that after the present year, it seems probable, a very small appropriation only will be required for the purchase or repairs of musical instruments. The present system of furnishing instruments of music in kind, is by far the most convenient to the State, and beneficial to the militia, having reduced this item of expense within the last three years, from an annual average expense of about one thousand and three hundred dollars, to less than three hundred dollars.

I have the honor to be, with much respect,
Your Excellency's obedient servant,

JOSEPH LOW,

Adj. & Insp. Gen. of the Militia of N. H.

The following communication was received from His Excellency the Governor by the Secretary.

To the honorable Senate and House of Representatives.

Gentlemen,

I herewith transmit a communication from the Hon. William Plumer, jr., as agent in behalf of this State to adjust its claims against the United States.

LEVI WOODBURY.

June 11, 1823.

To His Excellency Levi Woodbury, Governor of the State of New-Hampshire.

Sir—By a resolve of the Legislature of the 3d of July last, the Secretary of State was directed to forward as soon as may be, to the office of the Secretary of War, at Washington, all papers, documents and vouchers, necessary to substantiate the account of this State against the United States.

In the latter part of December last, I had the honor to receive from Governor Bell, the appointment of Agent

under this resolve. I immediately called upon Mr. Hagner, the third auditor of the treasury, in whose office these accounts remain for adjustment. By him I was informed that no additional vouchers had been received at his office in relation to the claims of New-Hampshire, within the last year; and on inquiry at the War department, I found that none had been received there. I therefore wrote to the Governor, requesting that he would cause all such papers, relating to the claims as might be in his possession, or in the Office of the Secretary of State, to be forwarded to me. In answer to this request, I received from Governor Bell a copy of the accounts of New-Hampshire against the United States for militia services during the late war, with the objections of Mr. Hagner to various items of those accounts, together with a copy of the correspondence between the executive of this State and the War Department on the same subject. I soon after (January 22d) received from the Secretary of State, the original accounts, (copies of which had been before sent to the War Department) of Asa Dearborn, Commissary General, and pay-master of this State during the late war. The Secretary at the same time informed me that no further evidence in support of our claim was to be found in his office. As no new proofs or vouchers could, at that time, be furnished in support of the charges contained in our account, it was obviously impossible to proceed with the adjustment of the claim, in any other way than by relinquishing all those items, respecting which proper evidence had not been furnished. This would have been at once to abandon the just claims of the state and to acknowledge the right of the United States to a considerable repayment for money advanced on this account. Under these circumstances, being unable to bring the business committed to my charge to any satisfactory adjustment, I requested the third auditor to furnish me with a detailed account of the present state of the claims on both sides, specifying the amount claimed and advanced, the articles suspended or rejected, the nature of the evidence required in such

case, and such other information, as would enable the legislature, at its present session, to determine on the course most proper to be pursued in relation to the final settlement of these claims. He informed me that it would be impossible, at that time, to furnish the information required, or even to enter upon an examination of the claim, during the session of Congress, which was then drawing to a close ; but that the subject should be resumed, with as little delay as possible ; and the answer to my inquiries forwarded in season for the present session of the legislature. On the fifteenth of May last, not having received any answer from Mr. Hagner, I wrote him again, stating the near approach of the session of the legislature, and urging an immediate answer to my former inquiries. In his answer to this letter, dated May 27th, he informs me, "that the accounts of the state of New-Hampshire have been under examination for some time, with a view of furnishing you with the statement you requested. The Clerk who has had them in hand, having been taken unwell, is, at this time absent from the office. When his health will permit, which I expect will be the case in a day or two, I will cause his attention to be directed to the furnishing, as soon as practicable, the papers called for." Since the receipt of this letter, I have had no further information from the third auditor on this subject. Should his promised communication be received, in season to be laid before the legislature, at their present session, I will lose no time in transmitting it to your Excellency, for the purpose of being so communicated. From an examination of the objections heretofore made by the third auditor to several items of our account, as well as from various conversations with that officer, it appears that the items which have been suspended or rejected may be divided into two classes. First, those which are declared inadmissible under the existing laws of Congress—such as the pay given by the State to the militia beyond what was allowed for the same services by the United States to their troops, and other items of a similar nature ; and secondly, such articles as, though

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admissible in themselves, are either supported by no evidence, or by such as is deemed insufficient, according to the rules and regulations adopted in the settlement of accounts in the War Department. With respect to the first class of cases, the state can obtain relief only by an act of Congress recognizing the justice of these claims, and making provision for their payment. As the principles, upon which such an act must rest, would embrace similar claims of other states, its provisions would probably be general, and in this point of view, it is believed that New-Hampshire is not more interested than some other states in this class of cases. With respect to the second class, it is believed that in many cases, perhaps in most of them, the evidence required by the third auditor might, without much difficulty, be obtained. On both these points, it is desirable that the agent of the state should receive the instructions of the legislature, as to the course which in relation to each, it is their pleasure should be pursued.

With respect to the resolve under which I have acted, permit me to add, that a strict construction of its terms might seem to limit the authority granted to the agent, to the last session of Congress; and as that has elapsed without effecting the intended object, a new power ought perhaps to be conferred, if any further steps are to be taken in this business. I have likewise to request of your Excellency, that you would make known to the legislature the facts detailed in the preceding statement. I shall remain in Concord during the present week, and shall be ready at any time to make such further personal explanation as may be required.

I remain, with great respect and esteem,
Your Excellency's faithful Servant,
WILLIAM PLUMER, Jr. *Agent.*

Adjourned.

THURSDAY, JUNE 12, 1823.

Met according to adjournment.

Mr. Colby, for the committee on incorporations, to whom the bill entitled, "an act to incorporate certain persons by the name of the New-Hampshire Historical Society" was referred, reported the bill with the following amendment, viz.

Amend the bill by striking out the following words in the fourth section, viz., "by giving notice in some one or more newspapers published in Portsmouth, and in some one or more newspapers published in Concord, at least fourteen days before said meeting." And inserting the words, "at such time and place, and may notify the members of said Association, in such manner, as they may deem expedient."

Which report was accepted; and the amendment, on motion of Mr. Eastman, was ordered to be engrossed and the bill as amended, read a third time, at eleven o'clock this forenoon.

Mr. Eastman, for the committee to whom was referred the bill from the House of Representatives, entitled, an act in addition to and in amendment of an act passed June 10, 1791, entitled, an act for regulating the office of coroner, reported the same with the following amendment.

Erase the following words in the second section. "Summon five reputable freeholders, three of whom at least," and insert the words, "convene by summons or other notice, three reputable freeholders, one of whom shall be a justice of the peace."

Which report was accepted, and the amendment ordered to be engrossed: and three o'clock this afternoon was assigned for the third reading of the bill as amended.

A message was received from the House of Representatives communicating a resolve of the House authorizing the Treasurer to convey by deed of quitclaim, to Samuel Rollins, jr. a certain tract of land in the county of Coos, containing one hundred acres, &c.

provided said Rollins pay, or cause to be paid to the Treasurer, the sum of one hundred and thirteen dollars, and interest thereon, within two years from the time of passing this resolve. Which was read, and on motion of Mr. Eastman, referred to the committee on corporations.

A resolve of the House of Representatives, authorizing his Excellency the Governor to draw on the Treasurer by warrant, for such sum or sums as may be necessary, not exceeding two thousand dollars in the whole, for the use of the State Prison the current year, was brought up, read, and referred to the committee on claims.

A resolve of the House of Representatives, allowing Robert Neal, jr. Commissary General, two hundred and eight dollars and seven cents, in full for his salary, from June, A. D. 1822, to June, A. D. 1823, and also in full of his account; was brought up, read, and referred to the committee on claims and accounts.

Mr. Colby, for the committee on corporations, to whom was referred the bill from the House of Representatives, entitled, an act to incorporate certain persons by the name of the Walpole Library Association, reported the same without amendment, which,

On motion of Mr. Eastman,

Was ordered to a third reading at three o'clock this afternoon.

Mr. Boardman, for the committee on claims, to whom was referred the several resolves of the House of Representatives, allowing to John W. Weeks twenty-seven dollars twenty-eight cents, Thomas Belows ten dollars forty-four cents, Benjamin Pierce twelve dollars ten cents, and Clement Storer sixteen dollars and eighty cents, in full of their respective accounts, reported the same without amendment.

Which report was accepted,

And on motion of Mr. Wallace, the several resolves were read and concurred.

Presented.

The bill entitled "an act to incorporate certain persons by the name of the New-Hampshire Historical Society," was read a third time, and passed as amended, and was returned to the House of Representatives, for concurrence in the amendment.

Adjourned.

THURSDAY AFTERNOON.

Met according to adjournment.

On motion of Mr. Wallace,

The bill entitled, "an act in addition to and in amendment of an act, regulating the office of coroner," was read a third time, and passed as amended: and was returned to the House of Representatives for concurrence therein.

A message was received from the House of Representatives communicating for the concurrence of the Senate, a bill entitled, "an act to establish a corporation, by the name of the Union Manufacturing Company," which having had two readings, was referred to the committee on corporations.

Mr. Webster, for the engrossing committee, to whom was referred the bill entitled, "an act in amendment of the laws now in force, directing and regulating the appointment and choice of grand and petit jurors," for examination, reported the bill correctly engrossed, and

On motion of Mr. Wallace,

The bill was read a third time, passed, and sent down to the House of Representatives for concurrence therein.

The bill from the House of Representatives for incorporating certain persons by the name of the Walpole Library Association—was read a third time, and passed.

A message was received from the House of Rep-

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representatives, communicating the following resolves, namely :

A resolve, allowing James Poole fifty-three dollars and thirty-seven cents, in full of his account for repairs of the Medical House in Hanover, and for services relating thereto.

A resolve, allowing William Claggett twenty-nine dollars, it being the amount of his travel and attendance, while a member of the House of Representatives during the present session.

Which were read and referred to the committee on claims and accounts.

A message was received from the House of Representatives communicating a bill entitled, "an act to incorporate James Thom and others, by the name of the Trustees of the Adams Female Academy," which having passed two readings, was referred to the committee on incorporations.

Mr. Boardman, for the committee to whom was referred the resolve from the House of Representatives, allowing Robert Neal, jr. Commissary General, two hundred and eight dollars and seven cents, in full of his salary, and his account ; and the resolve from the House allowing William Claggett twenty-nine dollars for his travel and attendance, reported the same without amendment—which report was accepted, and the resolves read and concurred. Presented.

Adjourned to 9 o'clock, to-morrow morning.

FRIDAY, JUNE 13, 1823.

Met according to adjournment.

Mr. Boardman, for the committee to whom were referred the resolve of the House of Representatives, authorizing his Excellency the Governor to draw from the Treasury by warrant, such sum or sums, as may be necessary, not exceeding two thousand dollars in the whole, for the use of the State Prison the

current year ; and the communication of his Excellency the Governor ; the memorial of the Warden of the State Prison, and other papers relative to that institution—reported the resolve without amendment.

Which report was accepted ; and the resolve read and concurred.

Presented.

A message was received from the House of Representatives, by the Assistant-Clerk, informing that the House had concurred in the amendment of the Senate to the bill entitled “an act to incorporate certain persons by the name of the New-Hampshire Historical Society,” and that the House had also concurred in the amendment of the Senate, to the bill entitled “an act in addition to and in amendment of an act passed June 10, 1791, entitled an act for regulating the office of Coroner,” and he presented bills correctly engrossed, embracing the amendments of the Senate, which received the signature of the President, and were

Presented.

Mr. Eastman, for the standing committee on the judiciary, reported the following resolutions :

Resolved, that provision ought to be made by law for holding three terms of the Superior Court of Judicature annually in each county except the county of Coos ; that two of said terms ought to be held by one or more justices of said Court, for trial of issues of fact, and the other term ought to be held by all the justices of said court for the trial of questions of law—at all which terms writs and other processes may be made returnable.

Resolved, that the Superior Court of Judicature ought to consist of a Chief-Justice and three Associate-Justices.

Resolved, that the committee on the judiciary report a bill in conformity with the foregoing resolutions.

Which resolutions, on motion of Mr. Wood, were ordered to lie.

Mr. Colby, for the committee to whom was referred the bill entitled “an act to incorporate the town of

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Paulsburgh," and the papers accompanying the same, reported that the committee had had the subject under consideration, and that in their opinion it is inexpedient at this time to incorporate said town, and that the further consideration thereof be postponed to the first Wednesday of June next.

Which report was, on motion of Mr. Wallace, ordered to lie.

Mr. Colby, for the committee to whom was referred the bill entitled "an act to establish a corporation by the name of the Union Manufacturing Company," reported the bill with the following amendment: add in the fourth line of the 1st section, after the word "successors," the word *assigns*.

Which report was ordered to lie.

Mr. Colby, for the committee to whom was referred the bill from the House of Representatives, entitled "an act to incorporate James Thom and others, by the name of the Trustees of the Adams Female Academy," reported the same, with an amendment.

Which report, on motion of Mr. Wallace, was ordered to lie.

Mr. Boardman, from the committee to whom was referred the resolve of the House of Representatives, allowing James Poole fifty-three dollars and thirty-seven cents, in full of his account, reported the same without amendment.

Which report was accepted, and the resolve read and concurred. *Adjourned.*

FRIDAY AFTERNOON.

Met according to adjournment.

On motion of Mr. Eastman,

The Senate resumed the consideration of the bill, entitled "an act to incorporate the town of Paulsburgh," and the report of the committee thereon, when

the report was accepted, and the further consideration of the bill postponed to the next session of the legislature.

On motion of Mr. Colby, the bill entitled "an act to incorporate James Thom and others by the name of the Trustees of the Adams Female Academy," was considered, with the amendment reported by the committee. Which report was accepted, and the eighth section stricken out. When Mr. Wallace moved to amend the bill by substituting the following :

SECTION 8. *And be it further enacted*, that lands, tenements and hereditaments to the value of three thousand dollars, and personal estate to the value of seven thousand dollars, which are or may be the property of this institution, shall be and hereby are exempted from taxation forever.

And on the question, Shall this amendment be adopted ? it was decided in the affirmative.

When Mr. Webster moved further to amend said bill by adding the following words to the fifth section : *Excepting only such questions as involve the disposition of the funds, and the appointment of officers and instructors ; on which subjects a majority of the whole board of Trustees shall concur.*

Which amendment was ageed to, and the bill with amendments ordered to be engrossed for a third reading at nine o'clock to-morrow morning.

Mr. Poole presented the petition of James Dean, praying for compensation due to him for services, as Professor in the late Dartmouth University : which was read, and on motion of Mr. Wallace, referred to the committee on claims and accounts.

The Senate resumed the consideration of the bill, entitled, an act to incorporate certain persons by the name of the Union Manufacturing Company, which was read, and ordered to a third reading to-morrow morning at nine o'clock.

Mr. Colby, for the committee on corporations, to whom was referred the resolve of the House of Representatives, authorizing the Treasurer to sell and convey by deed of quit-claim, duly executed, to Samuel

Saturday, June 14, 1823.

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Rollins, jr. a certain tract of land in the town of Adams, in the county of Coos, containing one hundred acres—on certain conditions therein specified; reported the same without amendment. Which report was accepted and the resolve read and concurred.

Adjourned to 9 o'clock to-morrow morning.

SATURDAY, JUNE, 14, 1823.

Met according to adjournment.

Mr. Cogswell submitted the following resolution :

Resolved, that the committee on the judiciary be instructed to enquire into the expediency of altering, or amending the laws, prescribing the duty, and directing the mode of choosing Registers of Deeds and County Treasurers, and that they report by bill or otherwise.

Which resolution passed, and the committee was instructed accordingly.

A message was received from the House of Representatives, communicating a bill from the House entitled "an act to authorize the town of Portsmouth to send a representative to the General Court, which passed two readings, and was referred to the committee on incorporations.

Mr. Eastman presented the petition of Samuel Pottle and others, praying to be incorporated into a Masonic Lodge, by the name of the Washington Lodge, No. 13, which was read and referred to the committee on corporations.

Mr. Boardman, for the committee to whom was referred the account of Benjamin Parker, commander of the military escort of the procession on the day of election, for expenses incurred on that day, with the vouchers accompanying the same, and a resolve of the House of

Representatives allowing him thirty-three dollars and eighty-eight cents, in full of his account therefor; reported the resolve with the following amendment:

That he be allowed thirty-six dollars and eighty-eight cents, instead of thirty-three dollars and eighty-eight cents, as by the resolve of the House.

Which report was accepted,

And the resolve as amended passed, and was returned to the House of Representatives, for concurrence in the amendment.

Mr. Eastman presented the petition of Daniel M. Durell and others, praying to be incorporated into a banking company in the town of Dover, which was read, and referred to the committee on claims and accounts.

Mr. Boardman, for the committee to whom was referred the bill, authorizing the town of Portsmouth to elect a Representative to the General Court, reported the same without amendment; and, on his motion, the bill was read a third time, and passed.

Presented.

On motion of Mr. Wallace,

The Senate resumed the consideration of the bill, entitled, "An act to incorporate James Thom and others, by the name of the Adams Female Academy," which was read a third time, passed as amended, and was returned to the House of Representatives, for concurrence in the amendments.

On motion of Mr. Eastman,

The Senate took into consideration the bill entitled, "An act to incorporate certain persons by the name of the Union Manufacturing Company," which was read a third time and passed.

Presented.

On motion of Mr. Wallace,

Voted, that when the Senate adjourn, it shall be to Monday next, at three o'clock in the afternoon.

The following communication was received from his Excellency the Governor, by the Secretary:

Saturday, June 14, 1823.

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To the honorable Senate
and House of Representatives,
Gentlemen—I transmit herewith the report of the
Commissioners of the Literary Fund.

LEVI WOODBURY.

June 11, 1823.

STATEMENT.

In obedience to the directions of the act, entitled
“an act to establish a Literary Fund, to be collected
from the several banking corporations within this
State,” passed June 29th, 1821, the commissioners
therein named, respectfully submit to the honorable
Legislature the following statement of the amount,
condition and circumstances of said Fund.

*The State of New-Hampshire in account with the
Commissioners of the Literary Fund.*

DR.

1822, Aug. 12. To certificate of United States 6 per cent. stock of 1815, in favor of New-Hampshire Literary Fund,	4400,00
To allowance of 7 1-4 per cent. advance on purchase of the same,	319,00
To paid for brokerage,	11,00
1823, June 11, To cash in the hands of the Treasurer, the balance,	5000,57
	<hr/>
	\$9,730,57

CR.

1822, June 12, By amount of cash received for tax on the several banks in this State for the year 1822,	4770,37
Oct. 1, By dividend of interest on stock in U. S. funds,	66,00
1823, Jan. 1, By Do. on Do.	66,00
April 1, By Do. on Do.	66,00
June 11, By cash received for tax on the several banks in this State for the year 1823, as follows :	

Exeter Bank,	500,00
Rockingham Bank,	500,00
Cheshire Bank,	500,00
N. H. Bank,	565,20
N. H. Union Bank,	750,00
N. H. Strafford Bank,	448,00
Concord Bank, (S. Sparhawk, Cash.)	199,00
Concord Bank, (G. Kent, Cash.)	300,00
Grafton Bank,	500,00
Portsmouth Bank,	500,00

89,730,57

LEVI WOODBURY, }
 SAM'L SPARHAWK, } *Commissioners.*
 WM. PICKERING, }

June 11, 1823.

Which, on motion, was ordered to lie on the table.

Adjourned to Monday next, at 3 o'clock afternoon.

MONDAY, JUNE 16, 1823.

Met according to adjournment.

Mr. Webster presented the petition of Stephen Perley and others, praying for the establishment of a bank at Meredith Bridge Village, in the county of Strafford, to be called the Winnepisiogee Bank, which was read, and referred to the committee on corporations.

Mr. Eastman, for the committee on the judiciary, reported a bill entitled, "An act to repeal an act, in addition to an act, entitled, an act prescribing the duty and directing the mode of choosing Registers of Deeds, and County Treasurers," which was read, and ordered to a second reading to-morrow morning at ten o'clock.

A message was received from the House of Representatives, by Mr. Wallace, communicating for the

concurrence of the Senate, a bill entitled, "An act to incorporate Enoch G. Parrott and others, by the name of the Portsmouth Sugar Refining Company," with the petition on which said bill was founded, which was read, and referred to the committee on incorporations.

A message was received from the House of Representatives, communicating for the concurrence of the Senate, a bill entitled, "An act to establish a corporation, by the name of the Smithville Factory," and the petition of John Cavender and others, on which the said bill was founded : and a bill entitled, "An act to enlarge the capital of the Dover Cotton Factory, and to alter the name thereof," and the petition of John Williams, agent for the proprietors, praying therefor : which, having passed two readings, were respectively referred to the committee on corporations.

Mr. Colby, for the committee to whom the petition of Samuel Pottle and others, praying to be incorporated into a Masonic Lodge, by the name of Washington Lodge, No. 18 ; and the petition of Daniel M. Durell and others, to be incorporated into a company by the name of the Dover Bank, were referred, reported that the prayers of the petitioners be so far granted, that they have leave to bring in bills for that purpose.

Which report was accepted.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House had concurred in the amendment of the Senate to their resolve, allowing Benjamin Parker thirty-three dollars and eighty-eight cents, and he presented an engrossed resolve agreeably to the amendment, which received the signature of the President, and was
Presented.

The following report of the committee on the subject of the election sermon, which had been accepted in the House of Representatives, was brought up, read, and concurred in the Senate.

The committee appointed to wait on the Rev. Daniel Dana, and present him with the thanks of the Leg-

Journal of the Senate.

islature for his ingenious and able discourse, delivered before his Excellency the Governor, the honorable Council, and both branches of the Legislature, on the fifth instant, and request of him a copy for the press, report, that they have attended to that duty and that the Rev. Daniel Dana has politely presented them with a copy, which is now at the disposal of the Legislature.

JOHN KIMBALL,
for the committee.

In the House of Representatives, June 16, 1823.

The foregoing report was read and accepted ; and voted, that the same committee be requested to procure five hundred printed copies of said sermon, and lay the same before the Legislature.

Mr. Eastman submitted the following resolution :

Resolved, by the Senate and House of Representatives in General Court convened, that all joint resolutions, hereafter to be passed by the Legislature of this State, shall be commenced with the following words, viz. : Resolved, by the Senate and House of Representatives in General Court convened ; and shall be passed by the Senate and House of Representatives, according to the rules and limitations used and practised, in the passing of acts, statutes and laws. Which, on motion of Mr. Colby, was ordered to lie.

Adjourned to 9 o'clock, to-morrow morning.

TUESDAY, JUNE 17, 1823.

Met according to adjournment.

Mr. Colby, for the committee to whom the petition of Stephen Perley and others, praying for the establishment of a bank at Meredith Bridge Village, was referred, reported that the prayer of the petition be so far granted, that the petitioners have leave to bring in a bill.

Which report was accepted.

Mr. Colby, for the same committee, to whom the bill from the House of Representatives, entitled, "An act to establish a corporation by the name of the Smithville Factory," was referred, reported the same without amendment.

Which report was accepted.

And, on motion of Mr. Eastman, the bill was ordered to lie on the table.

Mr. Colby, for the same committee, to whom was referred the bill from the House of Representatives, to enlarge the capital, and alter the name of the Dover Cotton Factory; and the bill to incorporate Enoch G. Parrott and others, by the name of the Portsmouth Sugar Refining Company, reported the same without amendment.

Which report was accepted, and the bills respectively ordered to a third reading at three o'clock this afternoon.

On motion of Mr. Eastman,

The Senate resumed the consideration of the bill entitled, "an act to establish a corporation by the name of the Smithville Factory," when Mr. Eastman moved the following amendment thereto; In the first line of the fourth section, erase the words, *any three members of said corporation*, and insert the words, *Thomas Baker, John Cavender, and Robert Smith, or any two of them*; which was agreed to, and the bill, as amended, ordered to a third reading at three o'clock this afternoon.

Mr. Wood submitted the following resolution, which was read, considered, and passed:

Resolved, that the committee on the judiciary be instructed to take into consideration the laws of this State relating to the taxing of the lands and buildings of non-residents; and that they report such alterations and amendments as they may think necessary.

On motion of Mr. Wallace,

The bill entitled "an act to repeal an act in addi-

tion to an act entitled an act prescribing the duty, and directing the mode of choosing Registers of Deeds and County Treasurers," was considered, and ordered to a third reading at three o'clock this afternoon.

Mr. Colby, on leave obtained for that purpose, presented a bill entitled, "an act to incorporate certain persons by the name of the Dover Bank," which was read twice, and on motion of Mr. Eastman, referred to a committee of the whole Senate, and made the order of the day for to-morrow.

Mr. Boardman, for the committee to whom the petition of James Dean, praying for compensation for services rendered as a professor in the late Dartmouth University, was referred, made the following report :

That the committee have taken the petition into consideration, and find by recurring to the Journals and other evidence, that the committee appointed by the Legislature at their session in June, 1819, to audit the claims against the corporation of Dartmouth University, reported, that James Dean was professor of Mathematicks and Natural Philosophy in said University, about two years, at a salary of six hundred dollars per annum ; that said Dean received five hundred and eight dollars, and that there remains unpaid six hundred and ninety-two dollars : Wherefore the committee recommend the following resolution :

Resolved, by the Senate and House of Representatives in General Court convened, That James Dean be allowed the sum of six hundred and ninety-two dollars in full for his claim, and that the same be paid out of the Treasury.

Which report was accepted.

On motion by Mr. Eastman,

His resolution prescribing the form and mode that all joint resolutions hereafter to be passed by the Legislature of this State, should be according to the rules and limitations, used and practised in the passing of acts, statutes and laws, was called up, read, passed, and sent down for concurrence.

Tuesday, June 17, 1823.

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The resolve allowing James Dean six hundred and ninety-two dollars in full for his claim for services as professor in the late Dartmouth University, was considered, and, on motion of Mr. Wallace, passed.

Mr. Cogswell gave notice that he should, on the morrow, ask leave to introduce a bill in addition to the act, prescribing the duty and directing the mode of choosing Registers of Deeds and County Treasurers, passed June 8, 1792.

On motion of Mr. Wallace,

The Senate resumed the consideration of the resolutions presented by Mr. Eastman, to instruct the judiciary committee to report a bill, to increase the number of judges, the number of terms, and the duties of the Superior Court.

And on the question, Shall these resolutions pass? it was on each of them decided in the negative.

Adjourned.

TUESDAY AFTERNOON.

Met according to adjournment.

On motion of Mr. Eastman,

The bill for repealing "An act, entitled an act, in addition to an act, entitled an act prescribing the duty, and directing the mode of choosing Registers of Deeds, and County Treasurers," was considered, and

On motion of Mr. Wallace, ordered to lie.

On motion of Mr. Eastman,

The bill, entitled "An act to enlarge the capital, and alter the name of the Dover Cotton Factory," was taken up, read a third time and passed.

The bill from the House of Representatives, entitled "An act, to establish a corporation by the name of the Smithville Factory," was considered; read a third time, passed as amended; and was returned to the House of Representatives, for concurrence in the amendment.

On motion by Mr. Eastman,

The Senate took into consideration the bill, entitled "An act to incorporate Enoch G. Parrott, and others, by the name of the Portsmouth Sugar Refining Company," which was read a third time, and on the question, Shall this bill pass? it was decided in the affirmative. Presented.

Adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, JUNE 18, 1823.

Met according to adjournment.

A message was received from the House of Representatives, by the Assistant Clerk, informing the Senate, that the House had concurred in the amendment proposed by the Senate, to the bill, entitled "An act to incorporate the Adams Female Academy;" and he presented a bill correctly engrossed, embracing said amendment, which received the signature of the President, and was Presented.

A resolve of the House of Representatives, allowing Samuel Sparhawk, the Secretary of the State, three hundred and eighty dollars and twenty cents, in full of his account, was brought up, read, and referred to the committee on accounts.

A message was received from the House of Representatives, by Mr. Peavey, communicating for the concurrence of the Senate a bill from the House, for establishing a corporation by the name of the Nashua Manufacturing Company, which passed two readings, and was referred to the committee on corporations.

A message was received from the House of Representatives, by the Assistant Clerk, communicating a resolve of the House of Representatives, re appointing the Hon. William Plumer, jr. as agent during the next session of Congress, for adjusting the claims of

this State against the United States ; and authorizing and requesting his Excellency the Governor, to cause to be procured, and furnished, to the agent aforesaid, such vouchers in support of those claims as he may deem necessary and expedient.

And on considering the same in the Senate, Mr. Eastman moved, that the said resolution, together with the message of his Excellency the Governor, and the letter of the Hon. William Plumer, jr. communicated on the 11th instant, be referred to a special committee.

Which motion prevailed.

And Messrs. Eastman, Poole, and Gilmore were appointed.

A message was received from the House of Representatives, communicating for the concurrence of the Senate, a bill, entitled "An act to incorporate the Cheshire Manufacturing Company," which passed two readings, and was referred to the committee on corporations.

On motion of Mr. Wallace,

The bill, entitled "An act, to repeal an act, entitled an act, in addition to an act, entitled an act, prescribing the duty and directing the mode, of choosing Registers of Deeds and County Treasurers," was taken up, read a third time, and passed.

On motion by Mr. Colby,

The Senate resolved itself into a committee of the whole, Mr. Poole in the chair, on the bill, entitled "An act to incorporate the Dover Bank," and having considered the same, the committee rose, and the chairman reported the bill with sundry amendments ; which report was accepted ; and the bill being still under consideration in the Senate, the following amendments, viz. Add to the 1st section, *Provided, that said grantees, shall, within two years from the passage of this act, accept the provisions thereof, and organize and put said institution into operation under the same ; in default of which, this act shall thereafter be void, and*

of no farther effect. And erase in the 1st article of the 3d section the words, *twenty five per cent. above,* and the words *the amount of*; and amend the 6th article of the 3d section, by inserting in the 8th line after the words, *ensuing their election,* the following words, *until others shall be chosen in their stead.*

As reported by the committee of the whole, were all successively adopted; when

On motion of Mr. Colby,

The bill was referred to the committee on the judiciary, with instructions to enquire into the expediency of so far amending the bill, as to make the private property of individual stockholders liable to the payment of debts of the corporation, and to make other amendments if deemed proper.

Adjourned.

WEDNESDAY AFTERNOON.

Met according to adjournment.

Mr. Cogswell, by permission, and agreeably to notice, introduced a bill, entitled "an act in addition to an act entitled an act, prescribing the duty and directing the mode of choosing Registers of Deeds, and County Treasurers," which was read, and referred to the committee on the judiciary.

Mr. Colby, for the committee, to whom was referred the bill, entitled "an act to establish a corporation by the name of the Nashua Manufacturing Company," reported said bill without amendment.

Which report was accepted, and on motion of Mr. Wallace, the bill was read a third time and passed.

Mr. Cogswell, for the committee, to whom was referred so much of his Excellency's message as relates to agriculture, manufactures, and the arts, made the following report :

That the communication of his Excellency, in relation to the subject committed to them, is so full, that a report in detail seems to be rendered unnecessary.

The committee view with much satisfaction, the deep interest which is now universally expressed by all classes in society, for the extension of agricultural improvement.

The organization of Agricultural Societies in the several counties in this State, and the annual reports to the Board of Agriculture, which are by that Board consolidated and published, add much useful information annually to the general stock, and are of great utility to the practical farmers in this State.

By a vigorous prosecution of the present system, the committee anticipate that the time is not far distant, when New-Hampshire will have a well digested system of practical agriculture, drawn from actual experiment, made by her own citizens upon the different soils, with the application of the various composts and manures, to be made and found within this commonwealth.

The ambition and industry which the several County Societies have already excited in their members, and the public at large, to excel in producing the largest crops of the various agricultural products from given quantities of land, of raising and improving the breed of the best neat cattle, horses, sheep and swine, have already been attended with the most pleasing consequences. Corn, oats, flax, rye, and wheat have been increased in quality, and quantity, as the annual reports of the several County Societies seem sufficiently to prove. Potatoes, and many kinds of vegetables have been produced with increased abundance. An improved breed of neat cattle, horses, sheep, and swine, have been encouraged and generally disseminated. In addition to the above, our domestic manufactures of woollen, linen, and cotton cloths, in almost every variety of excellence, no doubt, has exceeded all rational expectations. Carpets, bonnets, and a variety of other specimens of female industry and in-

genuity, shew distinctly that our fair friends contribute their aid cheerfully, to the improvement of domestic manufactures.

However advantageous and much wanted "an accurate agricultural survey of the State" may be, the necessary expense which such an undertaking would require, does, in the opinion of the committee, render it at present impolitic.

The several county societies may be requested to require of their most intelligent members, to make examinations in their several neighborhoods, and return answers to the principal questions embraced in an agricultural survey to their respective county societies; and each society transmit a consolidated report to the Board of Agriculture; and in this way, though the information might not in all cases be accurate, yet no doubt much useful information would be found to be thus collected, and at very little or no expense.

Believing, as the committee do, that good policy requires that the Legislature should extend pecuniary aid and assistance to our infant agricultural societies, they have reported a resolve for that purpose. Having duly considered the present situation of the cotton, woollen, iron, and other manufactures, in this State, the committee are of opinion that they are in a prosperous condition generally: that capital vested in them is better placed than in almost any other way, and affords larger dividends from sums actually vested. The committee are therefore of opinion that they do not at this time require legislative assistance.

Resolved by the Senate and House of Representatives in General Court convened, That the sum of five hundred and fifty dollars be and the same is hereby appropriated for the purpose of promoting the interests of agriculture and domestic manufactures, in this State, in the following manner, viz: To the Agricultural Societies of the Counties of Rockingham, Strafford, Hillsborough, Cheshire and Grafton, the sum of one hundred dollars each, and to the Agricultural Society of the County of Coos fifty dollars.

And be it further resolved, that the foregoing grant to the several county societies be made on condition that each county society shall, within one year from the first day of January next, appropriate the sum granted thereto by this resolution, together with at least the same amount of said sum, for the purpose of improvement in agriculture and domestic manufactures. And the Treasurer of the State is hereby directed to pay to the Treasurer of each agricultural society, whenever the Treasurer thereof shall lodge with him a certificate, under oath, that he has, within the time specified, received of the members of the society of which he is Treasurer, a sum at least equal in amount to the appropriation herein made to such society, and that the appropriation required by this resolve has been duly made.

Which report was accepted, and, on motion by Mr. Eastman, the resolve was ordered to lie on the table.

Mr. Colby, from the committee to whom was referred the bill from the House of Representatives, entitled "An act to incorporate the Cheshire Manufacturing Company," reported the same without amendment.

Which report was accepted, and the bill ordered to a third reading to-morrow morning at ten o'clock.

Mr. Eastman, for the committee to whom was referred the bill, entitled "An act to incorporate the Dover Bank," with special instructions to consider the expediency of the provision before mentioned, reported the same without amendment.

Which report was accepted, and on motion by Mr. Webster, the bill was ordered to a third reading to-morrow morning at nine o'clock.

A message was received from the House of Representatives, by Mr. Willson, communicating, for the concurrence of the Senate, a bill for incorporating Samuel A. Pearson and others, by the name of the Lancaster Street Aqueduct Company, which passed two readings, and was referred to the committee on corporations.

A message was received from the House of Representatives, by Mr. Russell, communicating, for the concurrence of the Senate, a bill to incorporate John Bell and Richard H. Ayer, by the name of the Hooksett Manufacturing Company, which was twice read, and referred to the committee on corporations.

A message was received from the House of Representatives, by Mr. Clark, communicating, for the concurrence of the Senate, a bill to repeal an act, entitled "An act for the preservation of fish in Beaver Pond, so called, in Londonderry," which was twice read, and referred to the committee on the judiciary.

A message was received from the House of Representatives, by Mr. Bellows, communicating, for the concurrence of the Senate, a bill to establish a corporation by the name of the Enfield and Lebanon Iron Manufactory, which was twice read, and referred to the committee on corporations.

A message was received from the House of Representatives, by Mr. Bradley, communicating, for the concurrence of the Senate, a bill to establish a corporation, by the name of the Town of Merrimack Manufacturing Company, which was twice read, and referred to the committee on corporations.

A message was received from the House of Representatives, by Mr. Demeritt, communicating, for the concurrence of the Senate, a bill to incorporate sundry persons into a company by the name of the Proprietors of Charlestown Street Aqueduct Company, which was twice read, and referred to the committee on corporations.

Mr. Eastman, for the committee to whom was referred the bill from the House of Representatives, for repealing an act, entitled an act for the preservation of fish in Beaver Pond, in Londonderry, reported the same without amendment.

Which report was accepted, and on motion by Mr. Wallace, was ordered to a third reading to-morrow morning at nine o'clock.

Adjourned to 9 o'clock to-morrow morning.

Thursday, June 19, 1823.

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THURSDAY, JUNE 19, 1823.

Met according to adjournment.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in the bill, from the Senate, entitled an "Act authorizing the Superior Court of Judicature to appoint auditors in certain cases," with certain amendments; and he returned the bill, with the amendments thereto annexed for the concurrence of the Senate, and the same was read as amended, and referred to the committee on the judiciary.

Mr. Eastman, for the select committee, to whom was referred the resolve from the House of Representatives, appointing William Plumer, jun. an agent on the part of this State to adjust its claims against the United States; and authorizing and requesting his Excellency the Governor to furnish him with such vouchers in support of said claims, as he may deem necessary and expedient, reported the resolution with the following amendments.

In the first clause of the third line, erase the words *during the next session of Congress*, and insert the words, *as soon as may be*.

In the second clause in the sixth line, after the word *claims*, insert the following words, *and give to said agent such instructions relative to the same from time to time*.

Which amendments were both agreed to, and the resolve returned to the House of Representatives for concurrence in the amendments.

Mr. Webster, from the committee on engrossed bills, reported the bill to incorporate certain persons by the name of the Dover Bank, as correctly engrossed.

Which report was accepted.

And on motion of Mr. Webster, the bill was read a third time, and on the question, Shall this bill pass? the yeas and nays were required by Mr. Wallace.

When those who voted in the affirmative are,

Messrs. Boardman, Morrill, from No. 3, Morrill, Eastman, Cogswell, Colby, Gilmore, Wood, Poole, and Webster.

And those in the negative—Messrs. Kimball and Wallace.

So the bill passed and was sent down to the House for concurrence.

On motion of Mr. Poole,

Ordered, that James Willis have leave to withdraw certain papers which are his property, and were used in the investigation of the charges against Edward Evans, late Judge of Probate for the County of Grafton, which papers are now in the Senate files in the Secretary's office.

A vote from the House of Representatives, that Messrs. Wilson of Gilmanton, Weeks of Greenland, Moor, Hammond of Gilsum, and Blair, with such as the Senate may join, be a committee to report at what time the present session of the Legislature may close, was brought up, read and concurred, and Mr. Poole joined.

A message was received from the House of Representatives, communicating a resolve allowing John P. Gass thirty-nine dollars and fifty cents in behalf of himself and the heirs of Dearborn Johnson, as some compensation for the loss sustained by fire, by them, in the yard of the State Prison in the year 1819; which was read, and referred to the committee on claims and accounts.

A message was received from the House of Representatives communicating for the concurrence of the Senate, a resolve, that Isaac Stanton, jr. be allowed a further term of two years from the 18th of June, 1823, for the payment of a debt due from him to this State, provided he pay the interest annually—which was read, and referred to the committee on claims and accounts.

Mr. Colby, from the committee, to whom was referred the bill from the House of Representatives, to establish the town of Merrimack Manufacturing Company, reported the same without amendment.

Which report was accepted.

When Mr. Eastman moved the following amendment to the bill.

Amend the third section by erasing the words, *any member of said corporation*, and insert the words, *Charles H. Atherton, David Holmes, Matthias Spalding, or any two of them*. Which amendment was adopted and ordered to be engrossed, and the bill as amended read a third time at three o'clock this afternoon.

Mr. Colby, from the committee, to whom was referred the bill from the House of Representatives, to incorporate John Bell and Richard H. Ayer by the name of the Hooksett Manufacturing Company, reported the same without amendment.

Which report was accepted.

When the bill, on motion by Mr. Eastman, was amended by striking out in the sixth section, after the words *Richard H. Ayer*, the words, *or either of them*, and the amendment ordered to be engrossed, and the bill as amended read a third time, at three o'clock this afternoon.

Mr. Colby, from the committee, to whom was referred the bill to incorporate Samuel A. Pearson and others, by the name of the Lancaster Street Aqueduct Company, and the bill to incorporate the Enfield and Lebanon Iron Manufactory, reported the same without amendment.

Which report was accepted, and the bill ordered to a third reading at three o'clock this afternoon.

Mr. Colby, for the committee to whom was referred the bill to incorporate sundry persons into a company by the name of the proprietors of the Charlestown Street Aqueduct, reported the same with the following amendment.

Amend in the fifth section the second line, by inserting between the words, *any said*, the words, *of the*; which was adopted, and on motion of Mr. Kimball, the amendment was ordered to be engrossed, and the bill read a third time at three o'clock this afternoon.

Adjourned.

THURSDAY AFTERNOON.

Met according to adjournment.

Mr. Kimball gave notice, that to-morrow he should ask leave to introduce a bill for establishing an additional term of the Superior Court for the County of Rockingham.

Mr. Eastman, for the committee to whom was referred the bill to authorize the Superior Court of Judicature to appoint auditors in certain cases, with the amendments of the House of Representatives thereto, reported the same without amendment.

Which report was accepted.

And on the question, Shall the amendments of the House be concurred? it was decided in the affirmative, and the bill ordered to be engrossed accordingly.

On motion of Mr. Eastman,

The Senate resumed the consideration of the bill for repealing the act, entitled "an act for the preservation of fish in Beaver pond, so called, in Londonderry," which was read a third time and passed.

On motion by Mr. Eastman,

The bill to incorporate John Bell and Richard H. Ayer by the name of the Hooksett Manufacturing Company, with the amendment thereto, was read a third time, passed as amended, and was returned to the House of Representatives for concurrence therein.

On motion of Mr. Boardman,

The bill to incorporate the Lancaster Street Aqueduct Company, was called up, read a third time, and passed.

On motion of Mr. Poole,

The bill to establish a corporation by the name of the Enfield and Lebanon Iron Manufactory, was considered, read a third time and passed.

On motion of Mr. Wood,

The bill to incorporate the town of Merrimack

Manufacturing Company, was read a third time and passed.

Mr. Webster, agreeably to permission obtained, presented a bill to incorporate certain persons by the name of the President, Directors and Company of the Winnepisiogee Bank, which passed two readings, and on motion of Mr. Colby, was referred to a committee of the whole Senate, and made the order of the day for ten o'clock to-morrow forenoon.

On motion of Mr. Kimball,

The bill to incorporate sundry persons by the name of the Charlestown Street Aqueduct, was taken up, read a third time and passed.

The bill, entitled "an act to incorporate the Cheshire Manufacturing Company," was read a third time and passed.

Adjourned to 9 o'clock to-morrow morning.

FRIDAY, JUNE 20, 1823.

Met according to adjournment.

On motion of Mr. Colby,

The committee of the whole were discharged from the further consideration of the bill for incorporating the President, Directors and Company of the Winnepisiogee Bank, and the same was referred to the committee on the judiciary to report thereon.

Mr. Boardman, for the committee, to whom was referred the resolve from the House of Representatives, allowing Samuel Sparhawk three hundred and eighty-five dollars and twenty cents in full of his account for stationary, &c. &c. reported the same without amendment.

Which report was accepted, and on motion, the resolve was read and concurred.

Mr. Boardman, for the committee, to whom was referred the resolve from the House of Representatives,

allowing Isaac Stanton, jun. a further time of two years to pay money due to the State, reported the resolve without amendment.

Which report was accepted, and the resolve, on motion, read and concurred.

Mr. Eastman, for the committee, to whom was referred the bill, entitled "an act prescribing the duty, and directing the mode of choosing Registers of Deeds and County Treasurers, reported the same with an amendment.

Which report was accepted.

And on motion of Mr. Eastman, the bill was read and ordered to a second reading at three o'clock this afternoon.

Mr. Kimball, agreeably to notice, requested leave to introduce a bill, to establish an additional term of the Superior Court for the County of Rockingham; which was granted; and he presented a bill for that purpose, which passed two readings, and was, on motion of Mr. Wood, referred to the committee on the judiciary.

Mr. Eastman presented a resolve, granting to the Adams Female Academy in Londonderry, a copy of the map of New-Hampshire, by Philip Carrigain, Esq. for the use of said academy; which was read, and on motion of Mr. Wallace ordered to lie.

Adjourned.

FRIDAY AFTERNOON.

Met according to adjournment.

Mr. Eastman, for the committee to whom was referred the bill, for establishing an additional term of the Superior Court for the County of Rockingham, reported the same without amendment; and the same having passed a second reading, was on his motion ordered to lie on the table.

On motion by Mr. Wallace,

The resolve granting a map of New-Hampshire to the Adams Female Academy, was considered and passed.

The bill, entitled "an act in addition to an act entitled an act, prescribing the duty, and directing the mode of choosing Registers of Deeds, and County Treasurers," was taken into consideration, and on motion of Mr. Eastman, ordered to be engrossed and read a third time, to-morrow morning at nine o'clock.

Mr. Wallace presented the following resolutions :

Resolved, that it is expedient to establish by law, a Court of Common Pleas in each County of this State, which shall have final jurisdiction in all cases, where the actual damages do not exceed the sum of dollars.

Resolved, that the judiciary committee, be instructed to bring in a bill accordingly.

Which, on motion of Mr. Eastman, were ordered to lie on the table.

On motion by Mr. Eastman,

The Senate resumed the consideration of the report of the committee, on that part of the Governor's Message, relating to agriculture, manufactures, and the arts ; when, on motion by Mr. Eastman, the resolution was re-committed, with instructions to the committee, to consider on the expediency of amending the same, by granting the sum of two hundred and fifty dollars, to the board of agriculture for this State.

Adjourned to 9 o'clock, to-morrow morning.

SATURDAY, JUNE, 21, 1823.

Met according to adjournment.

The following resolution was presented by Mr. Poole :

In Senate, June 20, 1823.

Resolved, that the sum of one thousand dollars of any money in the Treasury of this State, be and the same is hereby appropriated, for the purpose of educating poor deaf and dumb children, belonging to this State at the asylum in Hartford Connecticut, which sum may be divided and applied for the benefit of such persons, and in such manner, as his Excellency the Governor shall think proper; and the Governor is hereby authorized by warrant on the Treasurer, to draw said sum from the Treasury.

Mr. Eastman for the committee to whom the subject was referred, made the following report :

The committee on the judiciary, pursuant to order, having had under consideration the expediency of amending the laws, relative to taxing the lands and buildings of non-residents, ask leave to report; that in their opinion a frequent alteration of important laws, is against sound policy, inasmuch as such alteration often gives rise to much evil, merely as a consequence of the alteration; that the laws under consideration are not so perfect as they could wish, but they do not believe the imperfection of these laws, would justify an inroad to be made upon a system, so long used as this has been, and so well understood as it now is. Your committee therefore recommend, that no law be passed on this subject the present session.

Which report was accepted.

A message was received from the House of Representatives, by Mr. Woodman, who communicated for the concurrence of the Senate, a bill for incorporating the proprietors of the Eaton Library; and a bill to authorize the school-district, No. 10, in the town of Concord, to hold five eighths of an acre of land as a school-house lot; which were twice read, and on motion of Mr. Wallace, referred to the committee on corporations.

A message was received from the House of Representatives, by Mr. Meserve, communicating for the concurrence of the Senate, a bill to disannex the farms

of Jonathan Hardy and Edward Shirley, from the town of Conway, and annex them to the town of Chat-ham ; which passed two readings, and on motion of Mr. Poole, was referred to the committee on the judiciary.

A bill was received from the House of Representatives, by Mr. Healy, communicating for the concurrence of the Senate, a bill, entitled " An act, defining the powers and duties of Assessors of Taxes ;" which passed two readings, and on motion of Mr. Eastman, was referred to the committee on the judiciary.

Mr. Webster, for the committee on engrossed bills, reported, that he had examined the bill, entitled " An act, in addition to an act, entitled an act, prescribing the duty, and directing the mode of choosing Registers of Deeds, and County Treasurers ;" that he had found it correctly engrossed, and asked leave to present it for a third reading ; and on his motion, the bill was read a third time, passed, and sent down for concurrence.

A message was received from the House of Representatives, by Mr. M'Gaffey, who communicated for the concurrence of the Senate, a bill, in addition to " the act, entitled an act, appropriating certain fines, for the repairs of highways and bridges, passed June, 1807 ;" which passed two readings, and on motion of Mr. Wallace, was referred to the committee on the judiciary.

Mr. Boardman, for the committee, to whom was referred the resolve from the House of Representatives, allowing John P. Gass, thirty-nine dollars and fifty cents, on account of loss sustained by fire in the State prison-yard, reported the resolve with the following amendment : Expunge, after the word *Johnson*, in the 5th line, the words *as a*, and insert the words *in full*.

Which report was accepted.

And the resolve was read and concurred as amended, and returned to the House of Representatives, for concurrence in the amendment.

Mr. Colby, for the committee, to whom was referred the bill from the House of Representatives, authorizing the school district, No. 10, in the town of Concord, to hold five eighths of an acre of land, as a school-house lot ; and the bill from the House of Representatives, to incorporate the proprietors of the Eaton Library, reported the same without amendment.

Which reports were accepted.

And the bills having passed a second reading, were on motion of Mr. Eastman, ordered to be read a third time, on Monday next, at three o'clock in the afternoon.

Mr. Webster, for the committee, to whom was referred so much of his Excellency's message, as relates to the improvement of the public library,

REPORTED,

That the public library now contains complete sets of State papers, and laws of the United States, together with regular numbers of the journals of the Senate, and House of Representatives of this State, but does not contain all the laws of the several sister states. It is, however, to be hoped, that the deficient numbers of the laws, may be procured by a friendly exchange for our own. The importance of a public library in the capitol, for the use of the officers of the Government and the members of the Legislature, must be apparent to all ; and it is the good policy of every community, and we hope it will be the wisdom of our own, early to make provision, that their public agents may be assisted in all their deliberations and decisions, by such aids and accompaniments, the result of experience, that they may wisely counsel, and prudently direct the energies of the people. A small sum of money annually expended for works on political economy, national law, state trials, and parliamentary debates, would soon produce an elementary deposit of peculiar convenience and worth, to every enterprising

politician. And it is believed, that the necessary appropriation to carry into effect an object of such magnitude, cannot be considered inexpedient or untimely. The committee, therefore, recommend the passage of the following resolution :

Resolved by the Senate and House of Representatives in General Court convened, that the Governor and Council, for the time being, be authorized to purchase such books, as in their opinion, will be most suitable and necessary, for the enlargement of the public library, and that *one hundred dollars* be annually appropriated for that purpose, until the General Court shall otherwise order.

Which, on motion of Mr. Wallace, was ordered to lie on the table, and made the order of the day for Tuesday next.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in the amendments of the Senate to the bill, for incorporating John Bell and Richard H. Ayer by the name of the Hooksett Manufacturing Company ; and the bill to incorporate a company, by the name of the proprietors of the Charlestown Street Aqueduct ; and he presented copies of said bills, correctly engrossed, which received the signature of the President, and were

Presented.

A resolve of the House of Representatives, authorizing the Treasurer to purchase two hundred and fifty copies of the second volume of cases decided by the Superior Court of this State, when the same are published, was brought up, read and considered, and on motion of Mr. Cogswell, ordered to lie.

Mr. Eastman, for the committee, to whom was referred the bill to incorporate certain persons by the name of the President, Directors and Company of the Winnepisiogee Bank, reported a new bill which passed two readings, and on motion of Mr. Eastman, was made the order of the day for Monday next.

A resolve of the House of Representatives, that the town of Hooksett receive one of Carrigain's maps

of the State, one set of the statute laws of said State, and one volume of the reports of the cases decided by the Superior Court of Judicature, was brought up, read and concurred.

On motion by Mr. Morrill,

Ordered, that when the Senate adjourns, it shall be to Monday next, at three o'clock, afternoon.

Adjourned accordingly.

MONDAY, JUNE 23, 1828.

Met according to adjournment.

Mr. Eastman, for the committee on the judiciary, to whom the bill providing for disannexing the farms of Jonathan Hardy and Edward Shirley from the town of Conway, and annexing them to the town of Chatham, was referred, reported the bill without amendment.

Which report was accepted, and on his motion, the bill was ordered to be read a third time, at nine o'clock to-morrow morning.

Mr. Eastman also, from the same committee, to whom was referred the bill, entitled "an act defining the powers and duties of assessors of taxes," reported the same without amendment.

Which report was accepted, and on his motion, the bill was read, and ordered to lie on the table.

On motion of Mr. Colby,

The Senate resumed the consideration of the resolution submitted by Mr. Wallace, for instructing the judiciary committee to report a bill for establishing by law, a court of Common Pleas in each County of this State, to have final jurisdiction in all cases where the actual damages do not exceed the sum of dollars, and on motion of Mr. Eastman, the same was referred to a committee of the whole Senate, and made the order of the day for Wednesday next.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, in addition to the act for appropriating certain fines for the repairs of highways and bridges, passed June, 1807, reported the same with the following amendments, viz. Strike out the whole of the first section after the enacting clause, and substitute the following.

Section 1. That no town in this State shall hereafter be indicted, nor shall any information be filed for any defect, in making or repairing any highway within the same, until a majority of the Selectmen in the town where such defective highway or bridge may be, shall be notified in writing, thirty days prior to presentment of the same being made to the grand jury, or information being filed ; the notification for which purpose shall describe the particular highway or bridge that is so defective, shall be signed by a justice of the peace, within and for the County where such town may lie, and shall be served by the sheriff or his deputy within the same County, or by a constable within such town. Provided, however, that in case such highway or bridge shall have become defective, any time within thirty days next before the sitting of any court, at which the same may be prosecuted, then the notification in form aforesaid served five days before the sitting of such court, shall be deemed and taken to be sufficient.

And introduce a new section, as follows :

Section 2. *And be it further enacted,* That it shall be the duty of all justices of the peace, within their several Counties, when application shall be made to them verbally or otherwise, to issue such notifications in writing under their hand for the purposes intended by the provisions of this act, returnable to the next Superior Court of Judicature within and for the same County ; for each of which, such justice shall be entitled to and shall receive the sum of fifty cents ; and the sheriff, his deputy or constable, for serving and returning such notifications, shall have and receive the same fees as is by law now provided, for serving writs of summons. And no town after such notification

shall have been served in manner aforesaid, shall be discharged from its liability to be prosecuted until the several fees mentioned in this act, shall first have been paid.

And make the second section the third section.

Which report was accepted.

And the amendments being under consideration, on motion by Mr. Eastman, to adopt the first amendment, it was decided in the affirmative, and on motion by Mr. Wood, the second amendment was also agreed to, when the amendments were ordered to be engrossed, and the bill read as amended at nine o'clock to-morrow morning.

The bill from the House of Representatives, entitled "an act authorizing School District No. 10, in the town of Concord, to hold five eighths of an acre of land as a school house lot," was, on motion of Mr. Eastman, taken up, read a third time and passed.

On motion of Mr. Colby,

The bill from the House of Representatives, entitled "an act to incorporate the proprietors of the Eaton Library," was taken up, read a third time and passed.

The Senate resolved itself into a committee of the whole, Mr. Eastman in the chair, on the bill to incorporate certain persons by the name of the President, Directors and Company of the Winnepisiogee Bank, and having had the same under consideration, the committee rose and reported the bill with an amendment. When the amendment was ordered to be engrossed, and the bill read a third time to-morrow morning at ten o'clock.

A message was received from the House of Representatives, by Mr. Peabody, communicating for the concurrence of the Senate a bill for disannexing the town of Chatham from the County of Coos, and annexing the same to the County of Strafford; and a bill to form the towns of Whitefield and Dalton, in the County of Coos, into one class, and the towns of Bethlehem, Franconia and Lincoln, in the County of

Grafton, into another class, for the choice of Representatives to the General Court; which were twice read and referred to the committee on the judiciary.

A message was received from the House of Representatives, by Mr. Otis, communicating for the concurrence of the Senate, a bill to incorporate a provident institution for savings in the town of Portsmouth, to be called the Portsmouth Savings Bank, which was twice read, and referred to the committee on corporations.

The following resolution was presented by Mr. Webster :

Resolved by the Senate and House of Representatives in General Court convened, that our Senators in Congress be instructed, and our Representatives requested, to make application to Congress at their next session, that the tract of land, called the *Indian Stream Territory*, lying north of the forty-fifth degree of north latitude, and westerly of the State of Maine, and within the United States, be ceded and granted to the State of New-Hampshire; that said tract of land may become a part of said State of New-Hampshire; and that the persons who now are settled thereon, and those who hereafter may become settlers, may have, hold, and enjoy, all the rights and privileges of other citizens of said State of New-Hampshire, and be subject to its laws and government.

Which was read, and on motion of Mr. Poole, ordered to lie on the table.

Mr. Poole, for the committee, to whom was referred that part of his Excellency's message, which relates to the imposing a fee for licenses to retailers,

REPORTED,

That the subject referred to them, is apparently confined to a single object. The raising of a revenue by an additional tax on a small portion of the community, acquires a more considerable interest when viewed in its consequences, as a mean of promoting the great agricultural interest of the State; and of aiding in the

correct discharge of the various important and complicated duties of the Legislature. No doubt is entertained that the promotion of agriculture is, and ought to be, an object of primary consideration in a State like ours, where the great body of citizens are accustomed to, and depend for support upon the employment it affords, and where upon its products all chiefly depend for subsistence. And it would seem that a few hundred dollars, might well be taken from the public Treasury, and applied to the advancement of so important an interest, either in premiums for extraordinary crops, for improvements in the breed of cattle, or for defraying the expenses of an agricultural survey of the State, the benefits of which would abundantly repay the sums advanced, with a high rate of interest. The gradual increase of the library at the seat of government, is also viewed as meriting attention in settling the various questions of order, which arise in the course of legislative proceedings. Much assistance might be had from reports of parliamentary debates, state trials, and books of a similar kind; and the annual appropriation of a small sum for this purpose, would it is believed be highly conducive to the interest and respectability of the State. The committee would find no difficulty in recommending ample appropriations for the promotion of these beneficial purposes, and if necessary, an increase of taxes to supply them. But as the salutary effects, expected to result from measures of this kind, are intended to extend to all, no reason is apparent, why a tax should be imposed upon a part only, and that an inconsiderable part of the community, to promote objects of general usefulness. Retailers of spirituous liquors, are already assessed upon their stock in trade, in common with their fellow citizens, in every kind of tax known in the government; and their stock is usually estimated at as high a rate, and in many instances higher than other taxable property of equal productiveness. To impose an additional tax, therefore, in the form of a fee for a retailing license, seems to be unequal and unjust. To indemnify the retailer for

the fee paid for a license, and that a payment may operate as a tax upon the consumers of spiritous liquors ; an enhanced price upon the sale of these liquors must be necessarily required, otherwise it will prove in the end, a direct tax upon the retailers, rather than what seems to be the object of the provision,—an indirect one upon intemperance. And the consequence of an increased price, will be a loss of customers to those retailers, who are situated near the borders of other States. To obtain their supplies at the lowest rate, those customers will resort to places without the State, and a portion of the property, which would otherwise have been expended for the benefit of our own retailers, will be transferred for the benefit of those of other governments ; and without the consolation that for this loss of property, we have been amply compensated, in the increased sobriety, and moral purity of our own citizens. There can be no objection to any provision, that shall have the effect in any degree to check the propensity to intemperance. But every provision of this kind, to be effectual, must be general ; and surrounded as we are by other States, where our own people can resort for the means of indulging this propensity, any regulations to increase the expense and difficulty of obtaining these means in our own government, which are not strengthened by corresponding regulations in the adjoining governments, appear to be unavailable, and therefore inexpedient.

Which was read, and on motion of Mr. Eastman, accepted.

Adjourned to 9 o'clock to-morrow morning.

TUESDAY, JUNE 24, 1823.

Met according to adjournment.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House had concurred in the resolve of the Senate pre-

scribing the form in which joint resolutions shall pass, with the following amendments :

Amend by striking out after the words, *the rules*, the following words, viz., *and limitations used and practised*, and after the word *acts*, strike out the words, *statutes and laws* ; and he presented the same for the concurrence of the Senate.

He also informed the Senate that the House had concurred in the amendment of the Senate, to the resolve of the House allowing John P. Gass thirty-nine dollars and fifty cents, in behalf of himself and the heirs of Dearborn Johnson, in compensation for the loss sustained by them, at the fire in the State Prison yard in 1819. And he presented, as directed, a resolve correctly engrossed embracing that amendment, which received the signature of the President, and was
Presented.

The Senate took into consideration, their resolve prescribing the form in which joint resolutions shall pass, with the amendments made by the House of Representatives thereto, when, on motion of Mr. Boardman, the amendments were adopted, and the bill was passed as amended, and ordered to be engrossed agreeably thereto.

The Senate resumed the consideration of the bill, entitled " an act in addition to an act, entitled an act appropriating certain fines for the repairing of highways and bridges, passed June 17, 1807," when the Senate agreed to the amendment reported by the committee on the judiciary, and the bill passed as amended, and was returned to the House of Representatives for concurrence in the amendments.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House had concurred in the amendment of the Senate to the bill, entitled " an act to establish a corporation by the name of the town of Merrimack Manufacturing Company." And he presented a bill correctly engrossed embracing the said amendment which received the signature of the President, and was
Presented.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, entitled "an act to disannex the town of Chatham from the County of Coos, and annex the same to the County of Strafford, reported the same without amendment.

Which report was accepted, and the bill ordered to a third reading at three o'clock this afternoon.

The following resolution was presented by Mr. Colby :

Resolved by the Senate and House of Representatives in General Court convened, That the Selectmen of the several towns in this State, be, and hereby are required, while taking the inventories in their respective towns in April next, to collect the facts from which to make the following returns. And that they make return to the Clerk of the Senate, on or before the first Tuesday of the then next session of the General Court ; in which return they shall state the number of native, half, and full-blooded merino sheep then owned, and the number annually sold in their respective towns ; the quantity of native, half, and full-blooded merino wool annually sheared ; the quantity used for domestic purposes ; the quantity disposed of for manufacturing establishments or exportation : stating the different quantities of each, together with an estimate of the value of the different qualities, and the demand for the same.

Which was twice read, and on motion of Mr. Wallace, referred to the committee on that part of his Excellency's communication which relates to agriculture, manufactures and the arts.

On motion by Mr. Kimball,

The bill introduced by him on Friday last to establish an additional term of the Superior Court of Judicature in the County of Rockingham, was taken up, considered, and on motion by Mr. Wallace, ordered to lie on the table.

On motion by Mr. Eastman,

The resolution appropriating one thousand dollars for the purpose of educating poor deaf and dumb

children belonging to this State, at the asylum in Hartford, Connecticut, was taken up, considered, and on motion of Mr. Cogswell, referred to the committee on the judiciary.

The resolution from the House of Representatives authorizing the Treasurer to purchase two hundred and fifty copies of the second volume of New-Hampshire Reports, was taken up on motion of Mr. Morrill, considered, and referred to the judiciary committee.

A message was received from the House of Representatives by the Assistant Clerk, communicating the following resolves of the House for the concurrence of the Senate, viz.

A resolve allowing William Badger eleven dollars fifty-six cents, and Amos A. Brewster fourteen dollars and ninety-six cents, in full of their respective accounts for returning votes, distributing precepts, &c. &c. which were respectively read, and referred to the committee on claims and accounts.

Mr. Colby, for the committee, to whom was referred the bill from the House of Representatives, to incorporate a provident institution for savings in the town of Portsmouth, to be called the Portsmouth Savings Bank, reported the same without amendment.

Which report was read, accepted, and on motion by Mr. Boardman, the bill ordered to be read a third time, at three o'clock this afternoon.

Mr. Cogswell submitted the following resolution, viz.

Whereas the several Deputy Secretaries of this State have, and do hold all papers returned to them by the respective towns, and whereas it would appear reasonable and proper that those papers should be deposited in the archives of the State: Therefore,

Resolved, that the judiciary committee be instructed to inquire into that subject, and make report thereon by bill or otherwise.

On motion by Mr. Eastman,

The bill from the House of Representatives, defining the powers and duties of assessors of taxes, was taken up, read, and on his motion, ordered to a third reading at three o'clock this afternoon.

A resolve of the House of Representatives, authorizing the town of Bartlett to return to the office of the Secretary of the State, a survey and plan of the lands laid out by said town in pursuance of the act of one thousand eight hundred and six, granting to the town of Bartlett, in said State, six hundred acres of land situate in the town of Adams, the property of the State; and that the Secretary be authorized to receive and deposit said survey and plan in his office, and record the same at the expense of said town, was communicated, read, and on motion by Mr. Eastman, referred to the committee on the judiciary.

Adjourned.

TUESDAY AFTERNOON.

Met according to adjournment.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, forming the towns of Whitefield and Dalton, in the county of Coos into one class; and the towns of Bethlehem, Franconia and Lincoln, in the county of Grafton, into another class, for the choice of Representatives to the General Court, reported the same without amendment.

Which report was accepted.

And the bill was read, and ordered to a third reading, at ten o'clock to-morrow morning.

The bill, entitled, an act defining the powers and duties of assessors of taxes, was taken into consideration, read a third time, and passed. Presented.

The bill from the House of Representatives, entitled an act to disannex the town of Chatham from

the County of Coos, and annex the same to the County of Strafford, was read a third time, and passed.

Presented.

The bill from the House of Representatives, entitled an act, to disannex the farms of Jonathan Hardy and Edward Shirley, from the town of Conway, and annex them to the town of Chatham, was read a third time, considered and passed.

Presented.

The bill from the House of Representatives, to incorporate a provident institution for savings, in the town of Portsmouth, to be called the Portsmouth Savings Bank, was read a third time, and passed.

Presented.

Mr. Boardman, for the committee, to whom was referred the account of Amos A. Brewster, Sheriff of the County of Grafton, for distributing precepts, and returning votes for Representatives to Congress; and for returning votes for Governor, Counsellor, Senator, &c. with the accompanying papers, reported the resolve with the following amendment. Strike out in the fourth line the word *fourteen*, and insert the word *fifteen*; and strike out the words *ninety-six*, in the same line, and insert the words *seventy-two*.

Which report was accepted.

And the resolve was read and concurred, with the amendment; and returned to the House of Representatives for concurrence therein.

Mr. Eastman, for the committee, to whom was referred the resolve from the House of Representatives, authorizing the town of Bartlett, to return to the Secretary's office, a survey and plan of certain lands, and have record thereof made in said office, &c. &c. reported the same without amendment.

Which report was accepted.

And the resolve was read a second time, and ordered to a third reading at nine o'clock to-morrow morning.

A message was received from the House of Representatives, by Mr. Hubbard, who communicated for concurrence of the Senate, a bill, entitled "An act to

incorporate sundry persons by the name of the President, Directors and Company of the Connecticut River Bank ;" and the same having passed two readings, was referred to the committee on incorporations.

Mr. Boardman, for the committee, to whom was referred the resolve of the House of Representatives, allowing William Badger, Sheriff of the County of Strafford, eleven dollars and fifty-six cents, in full of his account for distributing precepts, returning votes for Representatives to Congress, and votes for Governor, Counsellor and Senators, to the Secretary's office, reported the same without amendment. Which report was accepted ; and on motion, the same was read and concurred.

Mr. Cogswell, for the committee, on the part of his Excellency's message, relating to agriculture, manufactures, and the arts, and to whom his report on these subjects, and the resolve accompanying the same, were re-committed with instructions to report an additional resolution, granting two hundred and fifty dollars to the Board of Agriculture, reported the following, agreeably thereto :

And be it further resolved, that the sum of two hundred and fifty dollars be, and the same is, hereby appropriated for the use of the Board of Agriculture, in publishing books or pamphlets, for the benefit of agriculture and domestic manufactures in this State.

When, on motion of Mr. Eastman, the same was amended by striking out the word *two*, between the words *sum of* and *hundred*, and insert the word *one* ; so that the appropriation should be one hundred and fifty, instead of two hundred and fifty dollars ; and on his motion, the amendment was ordered to be engrossed, and the resolve read a third time as amended, at nine o'clock to-morrow morning.

Mr. Wood presented the following resolution, which was read, and on motion of Mr. Webster, ordered to lie on the table.

Resolved by the Senate and House of Representatives in General Court convened, that his Excellency

the Governor be, and he is hereby authorized to draw on the Treasurer of this State, for a sum not exceeding five hundred dollars, for the purpose of defraying the contingent expenses of the State, for the year ensuing.

A message was received from the House of Representatives, by Mr. Sawyer, who communicated for the concurrence of the Senate, a bill to annex sundry tracts of land to the town of Bartlett ; and

A bill to form the towns of Danbury and Orange into one class, and Dorchester and Dame's Gore into another class, for the choice of Representatives to the General Court. Which, on motion of Mr. Morrill, were read twice, and referred to the committee on the judiciary.

A message was received from the House of Representatives, by Mr. Chamberlain, who communicated for the concurrence of the Senate, a bill, in addition to the act, incorporating the Directors of Noyes' School in the town of Andover, which, on motion by Mr. Wallace, was read twice, and referred to the standing committee on incorporations.

A message was received from the House of Representatives, by Mr. Sawyer, the Assistant Clerk, who communicated for the concurrence of the Senate, a bill to authorize the sale of parsonage lands, belonging to the congregational society in Plaistow, and for other purposes ; and the same having passed two readings, was, on motion of Mr. Eastman, referred to the committee on the judiciary.

A message was received from the House of Representatives, by Mr. Haven, who communicated for the concurrence of the Senate, a bill for establishing a system of police in the town of Portsmouth ; which, on motion of Mr. Eastman, passed two readings, and was referred to the committee on the judiciary.

Adjourned to 9 o'clock to-morrow morning.

Wednesday, June 25, 1823.

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WEDNESDAY, JUNE 25, 1823.

Met according to adjournment.

A message was received from the House of Representatives by Mr. Fox, who communicated for the concurrence of the Senate, a bill, entitled "an act in addition to an act to incorporate certain persons the name of the proprietors of Dalton Bridge," which was read, and on motion of Mr. Poole, passed a second reading and was referred to the committee on incorporations.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, to annex sundry tracts of land to the town of Bartlett, reported the same without amendment.

Which report was read, and on motion of Mr. Webster, accepted, and ordered to lie on the table.

On motion of Mr. Wood,

The bill from the House of Representatives, to incorporate the towns of Whitefield and Dalton, in the County of Coos, into one class, and the towns of Bethlehem, Franconia and Lincoln, in the County of Grafton, into another class, for the choice of Representatives to the General Court, was taken up, and on motion by Mr. Wood, considered and passed.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House had agreed in the amendments of the Senate to the bill, entitled "an act to establish a corporation by the name of the Smithville Factory," and he presented a bill correctly engrossed embracing the amendments, which was signed by the President, and

Presented.

Mr. Colby, for the committee, to whom was referred the bill from the House of Representatives, in addition to the act to incorporate the Directors of Noyes' School, in the town of Andover, reported the same without amendment.

Which was read, and the bill ordered to a third reading at three o'clock this afternoon.

Mr. Eastman, for the committee, to whom was referred the resolve of the House of Representatives, authorizing the Treasurer to purchase two hundred and fifty copies of the second volume of New-Hampshire Reports, reported the same with the following amendment.

Strike out the whole of the resolution except the enacting clause, and substitute the following :

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be authorized and required to purchase and receive from any person who may publish the decisions of the Superior Court of Judicature, two hundred and fifty copies of the same, at a price not exceeding seventy-five cents for every one hundred pages, provided the same be printed under the control and direction of the justices of said Court, with a small pica type, on fine royal paper, of a quality as good as that upon which the Statute Laws of this State were published in 1815, with a page corresponding with the first volume of said reports, and be neatly and strongly done up in boards.

And be it further resolved, That his Excellency the Governor be authorized to draw upon the treasury for payment of the same, on receiving from the Treasurer a certificate that said volumes are deposited in his office, and of the amount due for the same.

And be it further resolved, That the Treasurer of this State be directed to deliver one copy of said Reports to each town in this State, on application for the same, receiving a receipt of the town clerk therefor.

Which report was accepted.

And on motion of Mr. Eastman,

The amendment ordered to be engrossed, and the resolution read as amended, at three o'clock this afternoon.

On motion of Mr. Cogswell,

The Senate resumed the consideration of the bill for incorporating sundry persons by the name of the President, Directors and Company of the Winnepisogee Bank, when the following amendment was proposed by Mr. Wood :

Amend the second section by inserting the following provision : *And provided, also, that no stockholder shall ever be allowed to borrow more than seventy-five per cent. upon his stock actually paid in.*

Which amendment was adopted, and on motion of Mr. Gilmore, the amendment was ordered to be engrossed, and the bill read a third time at three o'clock this afternoon.

Mr. Webster, for the committee on engrossed bills, reported the resolve prescribing the form in which joint resolutions should pass both branches of the Legislature, correctly engrossed, agreeably to the amendments. When the same was read and passed as amended, and information given to the House of Representatives, and the resolve presented to the Speaker for his signature.

A resolve from the House of Representatives, authorizing the town of Bartlett to make return and have recorded in the Secretary's office, a survey and plan of certain lands in the town of Adams, was considered, read a third time, and passed.

Adjourned.

WEDNESDAY AFTERNOON.

Met according to adjournment.

Mr. Kimball, for the committee appointed to call on the Rev. Daniel Dana, D. D. and obtain a copy of his election sermon, and have the same printed, reported, that forty copies thereof were now at the disposal of the Senate—and the same were distributed agreeably to an order of the Senate.

The following communication was received from his Excellency the Governor, by Mr. Sparhawk, the Secretary.

To the honorable Senate and House of Representatives.

Gentlemen,

The present expenses of courts martial to the public, appear to me often unnecessary and impolitic. I would therefore, respectfully recommend that hereafter in cases of conviction by the courts, all the taxed costs attending the prosecution should be a charge against the offender, and whenever he is of sufficient ability, be collected in a suit in behalf of the State. This would be in conformity to the principle on which cost is now taxed against other persons found guilty in criminal proceedings; and would not only lessen the burthen at this time imposed on the treasury by the expenses of courts martial, but in many instances would operate as a stronger check on breaches of military duty, than mere suspension or dismissal from office. I would take this opportunity to inform the Legislature that there are now in the Secretary's office, sixty-eight copies of the Laws of the United States, passed in the first session of the sixteenth Congress, two hundred and forty copies passed in the second session of the same Congress, and two hundred ninety-eight copies of those passed in the first session of the seventeenth Congress. It will probably be thought expedient to distribute these in the manner heretofore practised.

LEVI WOODBURY.

Concord, June 25, 1823.

When, on motion of Mr. Wallace,

That part of the message relating to courts martial was referred to the military committee; and on motion of Mr. Eastman, the part relating to the copies of the Laws of the United States, was referred to the committee on claims and accounts.

The bill from the House of Representatives, entitled "an act in addition to an act to incorporate the

Directors of the Noyes School in the town of Andover," was taken up agreeably to order, read a third time and passed.

A bill, to incorporate sundry persons by the name of the President, Directors, and Company of the Winnebisiogee Bank, was taken up, read a third time, and passed as amended, and was sent down to the House of Representatives for concurrence.

The Senate resolved itself into a committee of the whole, Mr. Poole in the chair, on the resolutions submitted by Mr. Wallace on Friday last, for establishing a Court of Common Pleas, in the several counties in this State, and having taken them into consideration, the committee rose, and reported the same with amendments.

Which report was accepted.

And the resolutions were referred to the committee on the judiciary, with instructions to bring in a bill conformably thereto.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, to establish a system of police for the town of Portsmouth, reported the same without amendment.

Which report was accepted, and the bill read ; and on motion of Mr. Boardman, ordered to a third reading to-morrow at nine o'clock.

The resolve of the House of Representatives, authorizing the Treasurer to purchase two hundred and fifty copies of a second volume of the Reports of the Superior Court of Judicature, was read a third time, and passed with the amendment ; and was returned to the House of Representatives for concurrence therein.

A resolve of the House of Representatives, allowing Frye Holt, William Eastman, Benjamin D. Eastman, Samuel Hayes, Lemuel Twombly and Nathaniel Hayes, a further time of two years, from the twenty fourth day of June, 1823, for the payment of certain debts due by them to the State, provided they pay

the interest annually, was read ; and on motion of Mr. Cogswell, passed a second reading, and was referred to the committee on the judiciary.

A message was received from the House of Representatives, by the Assistant Clerk, who communicated for the concurrence of the Senate, the following address.

To his Excellency Levi Woodbury, Captain General and Commander in Chief of the militia of the State of New-Hampshire.

The Senate and House of Representatives of this State, in General Court convened, respectfully represent to your Excellency, that the following officers who have been duly commissioned in the militia of said State, have removed and gone without the limits of their respective commands, without having resigned their commissions, viz. William S. Gale, ensign of the first company of light infantry, in the tenth regiment ; Martin Mason, captain of the second company of infantry, in the sixteenth regiment ; Robert Moody, lieutenant of the grenadier company, annexed to the said sixteenth regiment ; Charles Hilliard, major in the twenty fourth regiment ; David Balcomb, captain of the seventh company in the thirtieth regiment ; Jeremiah Drew, lieutenant of the first company of light infantry, in the third regiment. They, therefore, request your Excellency, with advice of Council, to remove the aforesaid officers from their respective commands, agreeably to the provisions of the constitution.

Which was read, and on motion of Mr. Wood, referred to the committee on the militia.

The following communication was received from his Excellency the Governor, by Mr. Sparhawk the Secretary :

To the honorable Senate and House of Representatives.

Gentlemen,—I herewith transmit copies of the returns, received from the banks of this State, in pursuance of the act of June 21st, 1814.

LEVI WOODBURY.

June 11th, 1823.

And on motion, the said returns were referred to the committee on corporations.

[For abstract of these returns, see Appendix.]

The following resolve of the House of Representatives, with the accompanying communication from his late Excellency Governor Bell, were brought up by the Assistant Clerk, read, and referred to the committee on the judiciary.

Resolved by the Senate and House of Representatives in General Court convened, that the sum of one thousand dollars, of any money in the Treasury not otherwise appropriated, be and the same is hereby appropriated, for the purpose of educating deaf and dumb children, belonging to this State, at the asylum in Hartford, in Connecticut, to be distributed and applied for the benefit of such children, as his Excellency the Governor shall think proper; and the Governor is hereby authorized to draw said sum from the Treasurer by warrant.

To the honorable Senate and House of Representatives.

Gentlemen,—I herewith transmit letters from the Governors of Massachusetts and Georgia, enclosing resolves of the legislatures of those States, upon the subject of an amendment to the constitution of the United States.

A resolve passed at the last session of the legislature, appropriating the sum of one thousand dollars, for the education of deaf and dumb children belonging to this State, at the asylum in Hartford, Connecticut, to be divided and applied by the Governor. In

pursuance of this resolve, I have distributed this sum among the deaf and dumb children, hereafter named, in the following proportions, viz.

James H. Whitcomb of Hancock,	\$100
Elijah Tracy of Cornish,	100
Thomas Brown of Henniker,	125
Catharine Lovejoy of Concord,	100
Oliver F. Hastings of Gilmanton,	50
Willard Carpenter of Littleton,	135
Jacob Tenny of Groton,	140
Edwin J. Mann of Portsmouth,	100
Almira Niles of Piermont,	150

\$1000

Bonds for the faithful application of these sums to the objects for which they were appropriated, have been deposited in the office of the Treasurer.

By a resolve passed at the last session of the legislature, I was authorized to appoint one or more suitable persons, to examine into the state of the arms and ordnance, belonging to this State, in the care of the Commissary-General, to make report thereof before the present session of the legislature. Pursuant to this resolve, I appointed Col. Peter Chadwick, of Exeter, to perform that duty. The papers marked A, B, C, herewith transmitted, contain his report.

A resolve passed July 3d, 1822, authorized and directed me to appoint an agent, to adjust the claims of this State against the United States. In obedience to this resolve, I appointed the Hon. William Plumer, jun. as agent on the part of this State, for the purpose expressed in the resolve; which appointment was accepted.

My account for defraying the contingent expenses of the government for the last year, is balanced, and deposited with those of the preceding years, in the Secretary's office.

SAMUEL BELL.

June 4th, 1823.

Thursday, June 26, 1823.

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Mr. Webster, for the committee on engrossed bills, reported that he had examined the resolve, appropriating sums of money to the several County agricultural societies, and to the Board of Agriculture for this State; that it was correctly engrossed conformably to the amendments thereto; and having presented the same, it was considered, passed, and sent down for concurrence.

Adjourned to 9 o'clock to-morrow morning.

THURSDAY, JUNE 26, 1823.

Met according to adjournment.

Mr. Eastman, for the committee, to whom was referred the resolve from the House of Representatives, allowing Frye Holt, William Eastman and others, a further time of two years from the 24th day of June, 1823, for the payment of certain debts due by them to the State, provided they paid the interest thereof annually, reported the same without amendment.

Which report was accepted, and the resolve read; and on his motion, ordered to a third reading at three o'clock this afternoon.

Mr. Poole, for the committee, to whom was referred the address of the House of Representatives to his Excellency the Governor, for the removal of sundry militia officers, who had removed beyond the limits of their respective commands, reported the same with the following amendment, viz. Strike out in the last paragraph the words, *with advice of council*.

Which report was accepted, and on motion of Mr. Webster, ordered to a third reading at three o'clock this afternoon.

A message was received from the House of Representatives, by Mr. Hammons of Farmington, who communicated the following bills from the House of Representatives, viz.

A bill to incorporate a provident institution for savings, by the name of the Savings Bank, for the county of Strafford.

A bill to incorporate certain persons, by the name of the Brookline Social Library.

A bill to empower the first Congregational parish in Barrington, to tax the pews in their meeting-house.

Mr. Webster presented the petition of Thomas F. Odell and others, praying for the establishment of a Bank at Conway ; which, on motion of Mr. Eastman, was referred to the committee on corporations.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, to authorize the sale of parsonage lands, belonging to the congregational society in Plaistow, &c. &c. reported the same without amendment.

Which report was accepted, the bill read, and on motion by Mr. Morrill, ordered to a third reading at three o'clock this afternoon.

The bill from the House of Representatives, entitled "an act to establish a system of police for the town of Portsmouth, and for other purposes," was taken up, read a third time, and passed.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, forming the towns of Danbury and Orange into one class, and Dorchester and Dame's Gore, into another class, for the choice of Representatives to the General Court ; reported the same without amendment.

Which report was accepted ; and the bill ordered to a third reading at nine o'clock to-morrow morning.

Mr. Poole presented the following resolution, which was read, and on motion of Mr. Wood, ordered to lie on the table.

Resolved by the Senate and House of Representatives in General Court convened, that his Excellency the Governor be requested to appoint some suitable person, to preach the next election sermon.

Mr. Eastman, for the committee, to whom was referred the resolution of the House of Representatives, appropriating one thousand dollars for the purpose of educating deaf and dumb persons, belonging to this State, at the Asylum in Hartford, Connecticut, and the communication of his Excellency Samuel Bell, relative to the expenditure of the appropriation for the last year, reported the resolve without amendment.

Which report was accepted; and on motion by Mr. Wallace, ordered to a third reading at three o'clock this afternoon.

The bill to incorporate a provident institution for savings, by the name of the Savings Bank for the County of Strafford; and the bill to incorporate certain persons by the name of the Brookline Social Library, having passed a second reading, were referred to the committee on incorporations.

The bill from the House of Representatives empowering the first congregational parish in Barrington, to tax the pews in their meeting-house, was read, and on motion of Mr. Wallace, having passed a second reading, was referred to the committee on the judiciary.

Adjourned to 3 o'clock, P. M.

THURSDAY AFTERNOON.

Met according to adjournment.

Mr. Colby, for the committee, to whom was referred the bill from the House of Representatives, in addition to the act, to incorporate certain persons by the name of the proprietors of Dalton Bridge, reported the same without amendment.

Which report was accepted, the bill read, and on motion of Mr. Eastman, ordered to a third reading at nine o'clock to-morrow morning.

The resolve from the House of Representatives, allowing Frye Holt, William Eastman and others, a

further time of two years from the 24th day of June, A. D. 1823, for the payment of certain debts due by them to the State, on paying the interest thereof annually, was read a third time and passed.

Presented.

The resolve appropriating the sum of one thousand dollars, for the purpose of educating deaf and dumb children, belonging to this State, at the Asylum in Hartford, Connecticut, to be distributed and applied for the benefit of such children, as his Excellency the Governor shall think proper, was taken into consideration, read a third time, and passed. Presented.

Mr. Colby, for the committee, to whom was referred the bill from the House of Representatives for incorporating a provident institution for savings, by the name of the Savings Bank for the County of Strafford, reported the same without amendment.

Which report was accepted ; and on motion of Mr. Eastman, the bill ordered to a third reading to-morrow morning at nine o'clock.

Mr. Colby, for the committee on corporations, to whom was referred the bill from the House of Representatives, entitled "An act to incorporate sundry persons, by the name of the President, Directors and Company of the Connecticut River Bank," requested that the committee might be discharged from the further consideration of the subject ; which was granted.

And on his motion, the bill was referred to the committee on the judiciary.

The bill from the House of Representatives, authorizing the sale of parsonage lands, belonging to the congregational society in Plaistow, and to appoint trustees for the fund to be raised thereby, was read, and on motion of Mr. Webster, ordered to lie on the table.

Mr. Eastman, for the committee on the judiciary, who were instructed to inquire into the expediency of compelling the Deputy Secretaries of this State, to deposit the lists of non-resident taxes in the archives of

the State, reported, that it is inexpedient to multiply laws at present for the purpose of perpetuating the evidence of the sale of non-resident property.

Which report was accepted.

A message was received from the House of Representatives by Mr. Bartlett, who communicated for the concurrence of the Senate the following bills, viz.

A bill, entitled "an act in addition to an act, passed June 20, 1811, entitled an act to prevent the destruction of salmon, shad, and alewives in Merrimack river, and the several streams falling into the same, and for repealing certain laws heretofore made for that purpose."

A bill, entitled "an act to incorporate sundry persons by the name of the proprietors of Six Mile Stream Canal;" and the same having passed two readings, were referred to the committee on the judiciary.

A message was received from the House of Representatives by Mr. French of Loudon, who presented for the concurrence of the Senate, a bill from the House, entitled "an act in addition to and in amendment of an act passed July 1, 1819, entitled an act in amendment of an act, entitled an act for regulating towns, and the choice of town officers, passed February 8, 1791," which passed two readings, and was referred to the committee on incorporations.

A message was received from the House of Representatives by Mr. Evans, who communicated for the concurrence of the Senate, a bill which had passed the House, entitled "an act to incorporate certain persons by the name of the Union Lodge No. 10, in the town of Orford," which passed two readings, and was referred to the committee on the judiciary.

On motion by Mr. Eastman,

The communication of his Excellency the Governor, transmitting the report of the Trustees of the Literary Fund, was considered, and on motion by Mr. Wallace, referred to the committee on the judiciary.

The resolution submitted by Mr. Webster, instructing our Senators and requesting our Representatives in Congress to make application at the next session thereof that the tract of land called Indian Stream Territory, lying north of the 45th parallel of north latitude be ceded to the State of New-Hampshire, was,

On motion of Mr. Webster,

Taken up, when it was moved by Mr. Eastman, that the said resolution should continue to lie on the table, which was decided in the affirmative.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, entitled "an act to incorporate sundry persons by the name of the President, Directors and Company of the Connecticut River Bank," reported the bill without amendment.

Which report was accepted ;

And the bill read a second time, when on motion of Mr. Wallace, the bill was amended by inserting the following words in the fourteenth line of the second section, after the words, *at least* : *Provided, also, that no stockholder shall in any case be allowed to borrow more than seventy-five per cent. on his capital stock, so paid in.*

When Mr. Eastman moved further to amend the bill by inserting the following words in the sixth article of the third section, after the words *their election*, and *until others are chosen in their stead.*

Which amendment was adopted.

When, on motion of Mr. Colby, the bill was further amended, by erasing the word *ten*, in the seventh line of the fifth article of the third section, and inserting the words *twenty-five*, and by erasing the words *two hundred and fifty* and inserting the words, *one thousand*, in the fourth line of the second section after the word *into* ; when the amendments were ordered to be engrossed, and the bill read a third time to-morrow morning at nine o'clock.

Friday, June 27, 1823.

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The address to his Excellency the Governor to remove certain militia officers, who still retained their commissions after having removed out of their respective commands, was called up, read a third time, and passed with an amendment, and was returned to the House of Representatives for concurrence therein.

Adjourned to 9 o'clock to-morrow morning.

FRIDAY JUNE 27, 1823.

Met according to adjournment.

A message was received from the House of Representatives by Mr. Woodbury, who presented for the concurrence of the Senate, a bill which had passed the House to incorporate certain persons by the name of the Holderness Union Library Society, which was read, and on motion by Mr. Wood, passed a second reading, and was referred to the committee on corporations.

Mr. Colby, for the committee, to whom was referred the bill from the House of Representatives, for incorporating certain persons by the name of the Brookline Social Library, reported the same with the following amendments :

Amend section third by striking out the words, *or in the first line, and be in the second line*—and insert after the word Crosby, the words, *and Isaac Sawtell or any two of them are*, and after the word town, in the third line of said section, erase the following words, *as the one calling said meetings may appoint*, and insert the words, *as they may think proper*, so that this part of the section may read, when amended,

Section 3. And be it further enacted, that Ensign Bailey, William S. Crosby and Isaac Sawtell, or any two of them are hereby authorized and empowered to call the first meeting of said proprietors, at such time and place in said town as they may think proper.

Which report was accepted.

And the amendments adopted ; and on motion ordered to be engrossed, and the bill read a third time, at three o'clock this afternoon.

On motion by Mr. Colby,

The Senate resumed the consideration of the bill to incorporate sundry persons by the name of the President, Directors and Company of the Connecticut River Bank, which was read a third time, and passed with the amendments, and was returned to the House of Representatives for their concurrence in the same.

The bill, entitled "an act in addition to an act to incorporate certain persons by the name of the proprietors of Dalton Bridge," was taken up, read a third time, and passed.

The bill from the House of Representatives, for forming the towns of Danbury and Orange into one class, and the towns of Dorchester and Dame's Gore, into another class, for the choice of Representatives to the General Court, was read a third time, and passed.

Mr. Eastman, for the committee, to whom was referred the resolution of the Senate, instructing the committee on the judiciary, to report a bill for establishing Courts of Common Pleas in this State, reported a bill establishing Circuit Courts of Common Pleas, which was read, and on motion of Mr. Eastman, passed a second reading, when he moved an amendment thereto by adding a new section to the bill, thereby transferring the powers and duties of the present Court of Sessions in the respective counties to the said Circuit Court of Common Pleas, which amendment was adopted, and on motion of Mr. Colby, the bill was referred to a committee of the whole Senate, and made the order of the day for to-morrow—and the Clerk was directed to procure three hundred copies thereof to be printed for the disposal of the Senate.

Agreeably to the order of the day, the bill from the House of Representatives, to incorporate a provident institution for savings by the name of the Savings Bank for the County of Strafford, was considered, read a third time and passed.

Mr. Eastman submitted a resolution for instructing the committee on that part of his Excellency's message relating to the public library, to inquire into the expediency of purchasing copies of Mr. Melish's map of the world on Mercator's projection, a specimen of which is now in the Hall of the Senate, which, on motion of Mr. Wood, passed.

Mr. Boardman, for the committee, to whom was referred that part of his Excellency's communication of the twenty-fifth instant, which relates to the copies of the Laws of the United States now in the Secretary's office,

REPORTED,

That they find in the Secretary's office two hundred and forty copies of the Laws of the United States, passed in the second session of the sixteenth Congress, and two hundred and ninety eight copies of those passed in the first session of the seventeenth Congress, and recommend that they be distributed as follows, viz : One of each of said copies to his Excellency the Governor ; one of each to each member of the honorable Council ; and one of each to each member of the honorable Senate and their Clerks ; one of each to each member of the House of Representatives, for the use of their respective towns ; one of each to each Clerk of the House ; and one of each to each of the judges of the Superior Court of Judicature, and Judges of Probate, Attorney-General and each Solicitor ; and that the remainder, together with the sixty eight copies of the acts of the first session of the 16th Congress, mentioned in said communication, be deposited in the Secretary's office ; and that the Secretary be directed to mark and distribute the same accordingly.

Which report was accepted.

Adjourned to 3 o'clock afternoon.

FRIDAY AFTERNOON.

Met according to adjournment.

Mr. Gilmore, for the committee, to whom was referred that part of his Excellency's message, which relates to annual reports being made to the legislature by inspecting committees of schools, reported the following bill.

STATE OF NEW-HAMPSHIRE.

In the year of our Lord one thousand eight hundred and twenty-three.

An act in addition to an act, entitled an act for the better regulation of schools, and for repealing certain laws now in force respecting the same, passed December 22d, 1808.

Section 1st. *Be it enacted by the Senate and House of Representatives in General Court convened*, that from and after the passing of this act, it shall be the duty of the inspectors of schools in the several towns and parishes in this State, to make out and transmit to the Secretary's office, annually, on or before the first Tuesday of the sitting of the Legislature, a true and correct certificate, setting forth the number and kind of books used in the several schools in their respective towns, and also the number of scholars and their different sexes, and the various branches of study that they are severally pursuing.

Which was read, and on motion of Mr. Wallace, passed a second reading; when, on motion by Mr. E. Morrill, the same was ordered to lie on the table.

Mr. Webster, for the committee, on that part of his Excellency's message, relating to the public library, and who had been instructed to enquire into the expediency of purchasing copies of Melish's chart of the world, on Mercator's projection, reported the following resolve, viz :

Resolved by the Senate and House of Representatives in General Court convened, that the Secretary be authorized to purchase of Peter T. Vose, for the use of the State, one copy of Melish's chart of the

world on Mercator's projection, provided the same can be had for ten dollars.

Which report was read and accepted ; and on motion by Mr. Eastman, passed a second reading, and was made the order of the day for nine o'clock to-morrow morning.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, to incorporate sundry persons by the name of the Proprietors of Six-mile Stream Canal, reported the same without amendment.

Which report was accepted ; and the bill having passed a second reading, was on motion by Mr. Webster, ordered to a third reading to-morrow at nine o'clock.

Mr. Eastman, for the committee, to whom had been referred the bill from the House of Representatives, "in addition to an act passed June 20th, 1811, entitled an act to prevent the destruction of salmon, shad and alewives, in Merrimack river, and the several streams falling into the same, and for repealing certain laws heretofore made for that purpose," reported the same with the following amendments, viz. In the last line but one in the first section, add the letter s to the word *river*, and add the words *and Winnepisiogee*, after the word *Nashua*, in the last line of the same section ; and strike out the whole of the second section.

Which report was accepted ;

And on motion of Mr. Poole, the amendments were respectively adopted, and the bill read a second time ; and on motion by Mr. Cogswell, made the order of the day for to-morrow at nine o'clock.

The bill from the House of Representatives, for incorporating a social library in the town of Brookline, was considered, read a third time, passed as amended, and was returned to the House of Representatives, for concurrence therein.

On motion by Mr. Wood,

The resolution authorizing the Governor to draw on the Treasurer, for a sum not exceeding five hundred dollars, to defray the contingent expenses of the Stat

for the year ensuing, was taken up, and on motion of Mr. Poole, made the order of the day, for to-morrow at nine o'clock.

Mr. Eastman, by leave obtained, introduced a bill in behalf of the petitioners, to incorporate Samuel Pottle and others, by the name of Washington Lodge, No. 13, which was read, and on his motion, passed a second reading, and was ordered to a third reading, and made the order of the day for to-morrow at nine o'clock.

On motion by Mr. Webster,

The bill from the House of Representatives, to annex sundry tracts of land to the town of Bartlett, was taken into consideration, and the same having passed a second reading, was, on motion of Mr. Eastman, ordered to a third reading, and made the order of the day for to-morrow at nine o'clock.

Adjourned to 9 o'clock to-morrow morning.

SATURDAY, JUNE 28, 1823.

Met according to adjournment.

Agreeably to the order of the day, the resolution making provision for defraying the contingent expenses of the State, was taken up, read a third time, and passed.

The resolve authorizing the Secretary of State to purchase of Peter T. Vose, for the use of the State, one copy of Melish's chart of the world on Mercator's projection, was considered, when the following amendment thereto, was moved by Mr. Wood : Amend by adding to the resolve the following words ; *also of Lemuel Bingham, one map of Mexico, Louisiana, and the Missouri Territory, by Robinson, for the sum of fourteen dollars*, which was adopted, and the resolve ordered to be engrossed as amended, and read a third time, at eleven o'clock this forenoon.

A message was received from the House of Representatives by Mr. Stevens, who presented for the con-

currence of the Senate a bill that had passed the House, entitled "an act to constitute a County in this State by the name of Merrimack, and to repeal an act, entitled an act to change the place of holding the February Term of the Superior Court of Judicature, and the January Term of the Court of Sessions in the County of Rockingham, passed July 3d, 1822," which was read, and on motion by Mr. Wallace, passed a second reading, and was referred to the committee on the judiciary.

The bill, reported by Mr. Gilmore, for the committee on the part of his Excellency's message, relating to annual reports to be made to the Legislature by inspecting committees of schools, in addition to the act, entitled "an act for the better regulation of schools and for repealing certain laws now in force respecting the same," was considered, and on motion, ordered to lie on the table.

The bill from the House of Representatives, for annexing sundry tracts of land to the town of Bartlett, was taken up, read a third time and passed.

The bill from the House of Representatives for incorporating sundry persons by the name of Washington Lodge No. 13, was taken up, read a third time and passed.

The bill from the House of Representatives in addition to an act for mending and repairing the highways in this State, was received, read, and on motion of Mr. Kimball, passed a second reading, and was referred to the committee on the judiciary.

A bill was received from the House of Representatives to incorporate certain persons into a masonic society, by the name of Mount Moriah Lodge No. 22, in the town of Canaan, which was read, and on motion by Mr. Eastman, passed a second reading, and was referred to the committee on corporations.

A bill was received from the House of Representatives in addition to and in amendment of an act, entitled "an act for laying out highways, passed February 8th, 1791," which was read, and on motion by Mr.

Poole, passed a second reading, and was referred to the committee on the judiciary.

A bill was received from the House of Representatives for incorporating certain persons by the name of the Portsmouth Steam Factory, which was read, and on motion of Mr. Morrill, passed a second reading, and was referred to the committee on corporations.

Mr. Cogswell, for the committee, to whom was referred the resolution of the committee on that part of the Governor's message relating to agriculture, manufactures and arts, reported the same with the following amendment :

After the word towns, in the twelfth line, insert *for market*, and strike out in the fifteenth line, after the word establishments, *or exportation*, so that it should read, ' the number annually sold in their respective towns for market.'

Which report was read and accepted, and the amendment adopted. When, on motion, the amendment was ordered to be engrossed, and the resolve read a third time on Monday next.

Mr. Colby, for the committee, to whom was referred the petition of Thomas F. Odell and others, praying for the grant of a bank at Conway, reported, that in their opinion, it is inexpedient to grant the prayer of said petition.

Which report was accepted.

A bill was received from the House of Representatives, for incorporating certain persons by the name of the Boston and Concord Boating Company, which was read ; and on motion by Mr. Kimball, passed a second reading, and was referred to the committee on incorporations.

The Senate resumed the consideration of the communication of the honorable Samuel Bell, Esq. late Governor of this State, when the part of it, relative to the appointment of Col. Peter Chadwick, for examining into the state of the arms and ordnance belonging to this State, in the care of the Commissary General, with Col. Chadwick's report thereon, and the accom-

panying papers, on motion by Mr. Eastman, were referred to the committee on the militia.

A resolve from the House of Representatives, allowing Moses C. Pilsbury, warden of the State Prison, the sum of two hundred dollars, in addition to his salary, and that said sum be paid out of the Treasury, was brought up, read, and referred to the committee on claims.

On motion by Mr. E. Morrill,

The Senate resumed the consideration of the bill, „in addition to the act for the better regulation of schools, and repealing certain laws now in force respecting the same, passed December 22d, 1808 ;” when the bill was re-committed with instructions to the committee, to report a penalty to be incurred by those towns, who neglect to comply with the provisions of the act.

The resolve requesting his Excellency the Governor, to appoint some suitable person to preach the next election sermon, was called up by Mr. Poole, and on motion by Mr. Eastman, was ordered for a third reading on Monday next.

A message was received from the House of Representatives, by Mr. Sawyer, the Assistant Clerk, communicating for the concurrence of the Senate, a resolve of the House, requiring the Secretary of the State, to arrange or procure to be arranged according to their dates, and bound in one volume, the Journals of the Committee of Safety for the State of New-Hampshire, from the year 1775 to 1783, inclusive ; and that he be authorized to loan the same, to any member or members of the Historical Society, to make such extracts therefrom, as may be useful to illustrate the revolutionary history of this State or the United States.

Which was considered, and having passed two readings, was referred to the committee on the judiciary.

The Assistant Clerk also presented a resolve of the House of Representatives, appropriating the sum of

one hundred dollars for the purpose of increasing the State Library, and authorizing the Governor to draw on the Treasurer for the same, which was read, and on motion of Mr. Cogswell, passed a second reading, and was referred to the committee on the part of his Excellency's message, relating to the increase of the public library.

The resolve authorizing the Secretary to purchase for the use of the State, Melish's map of the world, of Peter T. Vose, and Robinson's map of Mexico, Louisiana, &c. of Lemuel Bingham, was read a third time as amended, passed, and was sent down for concurrence.

The bill from the House of Representatives, entitled "an act to incorporate sundry persons by the name of the Proprietors of Six-mile Stream Canal," was taken into consideration, when Mr. Eastman moved the following amendments.

Amend the 2d section, by erasing in the last line these words, *logs and timber*, and inserting *person and property*.

Amend the 4th section : 1st line after the word *that*, insert the following words, viz : *All persons shall have a right, on paying the legal toll therefor, to pass themselves, or to carry any logs, lumber, produce or merchandize, over said Canal, and.*

Amend the 5th section : in the 3d line after the word *any*. erase the words *logs or lumber*, and insert the following words, *person or property*.

And on the question, Shall each of these amendments pass ? they were all successively adopted, and the same ordered to be engrossed, and the bill read as amended at three o'clock this afternoon.

Mr. Wood presented the memorial of Nathaniel H. Carter, professor in the late Dartmouth University, praying for compensation for his services as a professor in that institution.

Which was read, and on motion, referred to the committee on claims and accounts.

Adjourned to three o'clock afternoon.

SATURDAY AFTERNOON.

Met according to adjournment.

Mr. Eastman, for the committee, to whom was referred the bill "for constituting a County within this State by the name of Merrimack, and to repeal an act, entitled an act to change the place of holding the February Term of the Superior Court of Judicature, and the January Term of the Court of Sessions in the County of Rockingham," passed July 3, 1822, reported the same without amendment.

Which report was accepted ;

And on motion of Mr. Colby, the bill was referred to a committee of the whole Senate, and made the order of the day for Monday next.

The bill, entitled "an act in addition to an act entitled an act for mending and repairing the highways in this State," was reported by Mr. Eastman, for the committee, to whom it had been referred without amendment ; when, on considering the same, on motion by Mr. Morrill, from No. 4, it was re-committed.

A message was received from the House of Representatives by the Assistant Clerk, who communicated for the concurrence of the Senate a bill, entitled "an act to change the names of sundry persons therein named," which passed two readings, and was referred to the committee on the judiciary.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, entitled "an act in addition to and in amendment of an act entitled an act laying out highways, passed February 8, 1791," reported the same with an amendment, as follows :

Amend the first section by adding the following words, after the word selectmen, *within two years from the time of laying out the same*, so that it should read, *or in case the town shall discontinue any highway laid out by order of the Selectmen within two years from the time of laying out the same.*

Which report was accepted, and the amendment adopted, when the same was ordered to be engrossed, and the bill read a third time on Monday next.

Adjourned to Monday next, at 10 o'clock, A. M.

MONDAY, JUNE 30, 1823.

Met according to adjournment.

A message was received from the House of Representatives communicating for the concurrence of the Senate a bill, entitled "an act to establish a corporation by the name of the first Cotton Mill in Merri-mack," which having passed two readings, was referred to the committee on corporations.

Mr. Poole, for the committee, to whom was referred the parts of his Excellency's communication that relate to the militia, reported as follows :

That without calling together the militia as often as the present law requires, all military spirit and ambition would be lost ; that if there was but one training in a year, and that merely for the inspection of arms, it would be dangerous, as in case of any sudden aggression, or public emergency the militia could not be called forth with that facility and promptness to suppress such aggression, as would be rationally expected if they were called out and drilled as is now provided by law ; that the public property now in the hands of the militia would come into disuse, get out of repair, and decay, to the great loss of the State. That on examining the returns of the militia, your committee are led to believe that the calculated deficiency of arms must be on account of those soldiers returned as absent, who probably have arms and equipments, but were not present at the annual muster, which amount to about five thousand. That the present system is attended with evils of a character "as to temptations, to intemperance and idleness ;" your committee are of opinion that the frequent assembling of the people together has its bad consequences in a greater or less degree, but per-

haps not more so in assembling the militia for drill, and to perfect and keep that branch of our government, in some degree, which is termed by our constitution "as the proper, natural and sure defence of a state," than it does in the assembling of the people at our judicial courts, and at other public assemblies. Your committee, therefore, are of opinion, that whereas our militia laws have lately undergone a thorough revolution, and that the present system has not been long enough in operation, to judge fully of its utility; although your committee are led to believe that the present system is a good one, having had some experience under the same, it being very promptly and judiciously managed by the principle head of that department; they, therefore, recommend that there be no alteration of our militia laws the present session.

Which report was accepted.

Mr. Poole, also, for the same committee, made the following report on the subject matter thereof:

The military committee to whom was referred the special communication of his Excellency, of the 25th instant,

REPORT,

That the act which passed the second day of July, 1822, authorizing courts martial to inflict fines to a considerable amount on offending officers, instead of the more usual punishment of cashiering, suspending from command, or of reprimanding in orders, seems to have been intended to produce the same effect upon transgressors, as the method of punishment recommended by his Excellency; although the mode prescribed in the act, is somewhat less severe than that proposed by the Governor. The framers of the act supposed that a fine not less than ten, nor more than one hundred dollars, would be a punishment fully adequate, to the offence of any officer against the rules of military duty, however refractory, disobedient or unofficer-like, his conduct might be; or if the conduct of the offender should be of such enormity, as to render him in the opinion of a court martial, unfit for his command or a disgrace to its dignity, he might be

degraded from his rank, and excluded from the society and civilities of his former associates; a punishment sufficiently fearful, and much to be deprecated by military men. To this punishment however, severe as it is, his Excellency recommends an addition, in the form of costs of trial; because this addition might operate as a stronger check on breaches of military duty, than the punishment prescribed by law; and because it would lessen at this time the burthens imposed upon the treasury, by the expenses of courts martial. Were it the case that the officers of the militia were drawing upon the treasury for their services, or even for their necessary disbursements for equipments, or for the expenses incurred in the performance of their duties, there might be some reason for subjecting them to the payment of cost, whenever they should be so unfortunate as to be found guilty by a court martial of a violation of the laws to which they become amenable, in consequence of holding military commissions. But so long as military services are rendered gratuitously, and so long as a part only of the citizens are required to perform them, it seems peculiarly oppressive to sentence a delinquent, not only to degradation, and to the loss of the respectability attached to military rank, but to additional punishment in the payment of costs. To reimburse the treasury for the expenses of courts martial, was probably one of the objects to be attained by substituting a military fine for suspension, or removal from office; and this seems in some degree to have been realized. During the last year, and the only year in which the act aforesaid has been in operation, there have been three trials only by courts martial, the expenses of which, amounted to two hundred and seventy eight dollars. In two of these cases, convictions were had, and the humiliating sentence of cashiering was awarded in both. In the other case, a fine was imposed of one hundred dollars; which, deducted from the whole amount of expenses occasioned by courts martial for one year, leaves as a burden upon the treasury, the sum of one hundred and seventy-eight dollars; a sum, it would seem, quite too small to be complained of in

a government, where the militia is considered as its bulwark and rock of defence, against both external and internal enemies ; where, to be beneficial to the public, and conducive to its safety, military rank should be highly appreciated ; and where it is deemed of so much importance, as to justify the expenditure of thousands of dollars annually, in legislating to perfect its organization and discipline. Considering that the militia laws are already sufficiently severe upon those who come under their operation, that the burdens imposed by them are sustained by a part only of the community, and considering also, that the session of the legislature is now drawing to a close, and that it would be well to test the existing regulations in respect to the punishment of delinquent officers by the experience of one year more, it is deemed inexpedient to adopt the provision recommended by his Excellency.

Which report was read and accepted.

Mr. Eastman, for the committee, to whom was referred so much of his Excellency's message as relates to education, general literature and the literary fund, together with a statement of "the amount, condition and circumstances" of that fund, by the commissioners thereof,

REPORT ;

That having attended to the subjects embraced in these several commissions, they have not been able to select any specific object, which they can recommend as requiring legislative aid at this time. New-Hampshire, with a population of something less than 250,000 souls, according to the late census, pays an annual tax of ninety thousand dollars for the support of common free schools ; and although it is said this sum "exceeds what any other government of equal resources raises for a similar purpose," still if the money thus raised be not properly expended, it would be of but little use that we could make this boast. When we take into view the deep interest the community have in the faithful expenditure of this money, and when, moreover, we consider that this expenditure is made under the eye of those most deeply interested, it may be a matter of surprise, that any of the salutary provisions

of our laws on this subject should be disregarded; yet it is not less true that they are. It is therefore believed that a faithful execution of existing laws, directing the mode in which this money should be expended, is much more needed than additional statutes. In regard to the higher branches of literature, it may be observed that the desire of most parents to have their sons and daughters instructed therein; the ambition of our youth, generally, to obtain knowledge; the facility with which it may be obtained, owing to the number of academies in the State, endowed by wealthy individuals, and favoured by the government; are circumstances, auspicious of great improvement, and must be of most signal benefit to society. That the literary fund might be diverted from its original destination, and be usefully applied to institutions of this character, or to others that might be named, no one will doubt, but the policy of such a measure is much doubted. The law which gives existence to this fund, declares it "shall be for the sole use and purpose of endowing or supporting a college," &c. &c. and that "it shall never be applied to the benefit of any institution, which is not under the direction and control of the State." As we have but one institution of the grade of a college within our limits, it may be asked why we do not appropriate these funds to the use of that? The answer is—she has refused our protection. She has denied our power of control. Hence she cannot expect from us parental favors. Your committee, from a careful examination of the whole ground, are decidedly of the opinion, that the good of the State requires that this fund should be suffered to accumulate for years to come, agreeably to the provisions of the law creating it. They cannot doubt, that a fund already considerable, accumulating at the rate of from five to six thousand dollars a year, with regulations to give it a progressive increase, will, aided, perhaps, by some liberal donation from munificent individuals, if from no other source, at a period not greatly distant, be a mean of establishing an institution, that will be of incalculable benefit to the people, be an ornament to the State, and

in short be worthy of the enlightened policy, that dictated the law ; all which is respectfully submitted.

Which report was read and accepted.

On motion by Mr. Eastman,

The Senate resolved itself into a committee of the whole, Mr. Webster in the chair, on the bill for establishing Circuits Courts of Common Pleas for the State of New-Hampshire, and having considered the same, the committee rose, and reported the bill with amendments.

Which report was accepted, and the amendments adopted, and the bill, having been read by sections, the blanks therein were filled, and the bill ordered to be engrossed for a third reading at three o'clock this afternoon.

Adjourned.

MONDAY AFTERNOON.

Met according to adjournment.

A message was received from the House of Representatives, by Mr. Brown, who presented a bill, to incorporate certain persons by the name of the Portsmouth Handel Society, which had passed the House, and was sent up for the concurrence of the Senate ; and on motion by Mr. Eastman, the same having passed two readings, was referred to the committee on corporations.

The resolve requiring the selectmen of the several towns in this State, to make returns to the Clerk of the Senate, on or before the first Tuesday of the next session of the General Court, of the number of half and full blood merino sheep then owned, and the number annually sold in their respective towns for market, the quantity of native, half and full blooded merino wool annually sheared, the quantity used for domestic purposes, the quantity disposed of for manufacturing establishments, stating the different quantities of each, together with an estimate of the value of the different

qualities, and the demand for the same ; was considered, and passed as amended, and presented to the House of Representatives for concurrence therein.

A message was received from the House of Representatives by Mr. Matson, communicating for concurrence a bill, entitled " An act to incorporate an association for a library in the town of Bristol," which was read, and on motion of Mr. Eastman, passed a second reading, and was referred to the committee on corporations.

Mr. Eastman, for the committee, to whom was referred the bill from the House of Representatives, to change the names of sundry persons therein named, reported the same without amendment.

Which report was accepted ; and the bill, on motion by Mr. Webster, ordered to a third reading to-morrow morning at ten o'clock.

Mr. Eastman, for the same committee, to whom was referred the resolve of the House of Representatives, directing the Secretary of the State to arrange, according to their dates, the journals of the committee of Safety for the State of New-Hampshire, from the year 1775 to 1783, and authorizing him to loan the same to the members of the Historical Society, reported the resolution without amendment.

Which report was accepted ; and the same ordered to a third reading to-morrow at three o'clock in the afternoon.

Mr. Colby, for the committee, to whom was referred the bill, entitled " An act to incorporate certain persons by the name of the Boston and Concord Boating Company," reported the same without amendment.

Which report was accepted ; and the bill having passed a second reading, was, on motion of Mr. Wood, ordered to a third reading at nine o'clock to-morrow morning.

The bill from the House of Representatives, entitled " An act to empower the first congregational parish in Barrington, to tax the pews in their meeting

house," was taken up, read a third time, and passed to be enacted. Presented.

The following communication from his Excellency the Governor was communicated on the 25th instant :

To the honorable Senate and House of Representatives.

Gentlemen,

I transmit a letter from the honorable Stephen P. Webster, relative to the condition of the State Magazine at Haverhill. Accompanying it is his account of services, expenditures, and receipts, connected with said Magazine.

LEVI WOODBURY.

June 25, 1823.

His Excellency Levi Woodbury, Governor of the State of New-Hampshire.

I deem it my duty, Sir, to report to you the condition of the State Magazine at Haverhill. In June, 1818, a resolve passed the honorable Legislature, authorizing me to sell and convey the powder in said magazine, belonging to the State. At that time, the magazine contained twenty cases of musket balls, of about one hundred pounds each case ; six thousand two hundred musket flints, and forty casks of gunpowder. Agreeably to said resolution, I proceeded and made sale of a part of said powder. In June, 1820, another resolution was passed by the General Court, appointing me an agent to procure stoves for the State House, and to pay for the same from avails of the powder sold at the magazine. Thereupon I procured the stoves required, and paid for the same as directed, and have since completed sales of all the powder which belonged to the State. An account current, exhibiting my doings in the premises, is herewith presented, which accounts for the balance.

The musket balls and flints, belonging to the State as aforesaid, are now safely deposited in the magazine.

I have the honor to be your Excellency's most obedient servant,

S. P. WEBSTER.

Concord, June 24, 1823.

On motion of Mr. Colby,

The Senate resolved itself into a committee of the whole, Mr. Wood in the chair, on the bill from the House of Representatives "to constitute a new county in this State by the name of Merrimack, and to repeal an act entitled an act to change the place of holding the February term of the Superior Court of Judicature, and the January term of the Court of Sessions in the county of Rockingham, passed July 3, 1822," and having had the same under consideration, on motion by Mr. Eastman, the committee rose and reported the same to the Senate without amendment; which report was accepted.

And in the Senate, on the second reading of the bill, Mr. Colby proposed the following amendment thereto, viz :

Strike out all the third section except the proviso, and the last sentence thereof, and insert the following :

Section 3. *And be it further enacted*, That the Superior Court of Judicature, shall be holden at Hopkinton, in said county of Merrimack, on the second Tuesday of January; and at Concord in said county, on the second Tuesday of August annually: the first term of said court to commence on the second Tuesday of January next; and that there shall be a court of sessions in said county of Merrimack, consisting of three judges only, to be holden at said Hopkinton, on the last Tuesday of October, and at said Concord, on the last Tuesday of April annually; the first term of said court of sessions to commence on the last Tuesday of April next.

And on the question being taken on adopting this amendment, it was decided in the negative.

When Mr. Colby proposed the following amendment to the tenth section of said bill.

Amend section 10, by inserting after the word *Merrimack*, the following :

Provided, that the Treasurer of said county of Merimack, in issuing his precepts, for the first county tax, shall deduct the respective proportions of the said towns disannexed by this act, from the said county of Hillsborough, of said sum of five hundred dollars.

And, on taking the question to agree to this amendment, it was decided in the negative, and the bill having passed a second reading, was ordered to be read a third time at ten o'clock to-morrow morning.

Mr. Eastman, for the committee to whom was referred the bill from the House of Representatives entitled "an act in addition to an act for mending and repairing the highways in this state," reported the same with the following amendment, viz :

In the first section and the fourth line, after the words *legal meeting*, insert these words, viz : *at which such town may vote to raise any money for making, mending and repairing the several highways and bridges therein*, which report was accepted, and the amendment adopted ; and the bill having passed a second reading, was, on motion by Mr. Eastman, ordered to a third reading to-morrow morning at nine o'clock.

Mr. Colby, for the committee to whom was referred the bill from the House of Representatives incorporating certain persons by the name of the Mount Moriah Lodge, No. 22, reported the same without amendment, which report was accepted, and the bill having passed a second reading, was, on motion by Mr. Wood, ordered to a third reading at ten o'clock to-morrow morning.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House did not concur in the resolve from the Senate, allowing James Dean six hundred and ninety dollars in full for his claim for services as a professor of mathematics, in the late University of Dartmouth.

On motion of Mr. Eastman,

The bill to establish Circuit Courts of Common Pleas for this State was taken up, read a third time.

and on the question, Shall this bill pass? the yeas and nays were called for by Mr. Boardman.

Those who voted in the affirmative, are—

Messrs. D. L. Morrill, the President, E. Morrill, Eastman, Wallace, Gilmore, Wood, Poole and Webster.

Those who voted in the negative, are—

Messrs. Boardman, Kimball, Cogswell, and Colby.

Yeas 8. Nays 4.

So the bill passed, and was sent to the House for concurrence therein.

Adjourned to 9 o'clock, to-morrow morning.

TUESDAY, JULY 1, 1823.

Met according to adjournment.

A resolve from the House of Representatives for the appointment of a committee to revise the laws relative to the assessment and collection of taxes, was read and referred to the committee on the judiciary.

Mr. Webster, for the committee to whom was referred the resolve from the House of Representatives, appropriating one hundred dollars for the increase of the State Library, reported the same with the following amendment. Strike out all after the enacting clause, and substitute the following:

That the Governor, Treasurer and Secretary of State for the time being, be authorized and requested to purchase such books for the enlargement of the State library, as they may think proper, that his Excellency the Governor draw on the Treasury for the necessary funds, and that the sum of one hundred dollars be annually appropriated for that purpose, until the General Court shall otherwise order:

Which was read, and on motion of Mr. Eastman, ordered to a third reading at three o'clock this afternoon.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in the second amendment of the Senate to the resolution, appointing William Plumer, jr. an agent, on the part of this State, to adjust, during the next session of Congress, the claims of this State against the United States, and that the House had not concurred in the first amendment of the Senate to said resolution: and, on considering the same,

On motion by Mr. Eastman,

The Senate recessed from their amendment; and the resolve was read and passed accordingly, and information thereof communicated to the House of Representatives.

Mr. Poole, for the committee to whom was referred the communication from the honorable Samuel Bell, late Governor of this State, and the report of Peter Chadwick, Esquire, on the subject matter thereof, reported—

That it would be inexpedient for the State to make an addition to the building owned by the United States. The committee are of opinion, that the Commissary General should be instructed to make the necessary repairs to the arms received from the United States to render them fit for any service whatever, and that he be instructed to dispose of the twenty-three stands of arms, which are reported unserviceable, to the best advantage to the State, together with the two carriages for field pieces, and one set of harness for artillery.

Your committee are of the opinion that the Commissary General should be instructed to examine the cartridges belonging to the State, and put them in the best situation for the interest of the State, and make report of his doings to the next session of the Legislature.

Which report was accepted.

Mr. Gilmore, for the committee to whom was re-committed the bill in addition to the act for the better regulation of schools, and for repealing certain laws now in force, respecting the same, passed December

22, 1808, with instructions to report an additional section, imposing a penalty for neglect, reported the following :

Section 2. *And be it further enacted*, that if any town shall neglect or refuse to make such return, the same shall forfeit, and pay for the use of the State, a sum not less than twenty dollars, nor more than one hundred dollars, and it shall be the duty of the Secretary of State, immediately after the first Tuesday of the sitting of the Legislature in June annually, to furnish the Attorney General with a list of the names of all such towns, as shall have omitted to make such return, and it shall be the duty of the Attorney General to prosecute such towns, by information, indictment, or otherwise, at the next Superior Court of Judicature, to be holden in the counties where said towns respectively lie.

Which was read, and on motion, ordered to be engrossed, and read a third time, at nine o'clock to-morrow morning.

A message was received from the House of Representatives by Mr. Sawyer the Assistant Clerk, communicating a resolve allowing James Dean the sum of five hundred dollars in full for his services as Professor at the late Dartmouth University, which had passed the House, and was presented for the concurrence of the Senate ; and the same having had two readings, was, on motion by Mr. Boardman, referred to the committee on the judiciary.

Mr. Colby, for the committee to whom was referred the communication of his Excellency the Governor, transmitting the returns of the several banks in this state, reported a synopsis of the returns of said banks as they existed on the fifth day of May, 1823, and that by the returns, it appears the banks are all solvent, and balances appear in their favor, with the exception of the Grafton Bank, which exhibits a deficit of \$2,898 83.

A message was received by the Assistant Clerk from the House of Representatives, who communica-

ted a bill for the concurrence of the Senate, entitled "an act to incorporate certain persons by the name of the Union Lodge, No. 10, in the town of Orford," and the same having passed two readings was referred to the committee on corporations.

Mr. Colby, for the committee to whom was referred the bill from the House of Representatives to incorporate certain persons by the name of Holderness Union Library Society, and the bill to establish a corporation by the name of the First Cotton Mill in Merimack, reported the same without amendment, which were respectively read and accepted, and the bills having passed a second reading were ordered to be read a third time at three o'clock this afternoon.

The bill from the House of Representatives to constitute a new county in this State by the name of Merimack, and to repeal an act, entitled "an act to change the place of holding the February term of the Superior Court of Judicature, and the January term of the Court of Sessions in the county of Rockingham," passed July 3, 1822, was taken up on the motion of Mr. Wallace, and read a third time, when on the question, Shall this bill pass? the yeas and nays were called for by Mr. Colby.

When those who voted in the affirmative, are

Messrs. Boardman, D. L. Morrill, E. Morrill, Eastman, Cogswell, Wallace, Wood, Poole, and Webster.

And those in the negative, are—

Messrs. Kimball, Colby and Gilmore.

Yeas 9.

Nays 3.

So the bill passed and was

Presented.

Mr. Boardman, for the committee to whom was referred the resolve, that Moses C. Pilsbury, Warden of the State Prison, have and receive for his services as Warden for the last year, the sum of two hundred dollars in addition to his salary, reported the same without amendment.

Which report was accepted, and the resolution read and ordered to a third reading at three o'clock this afternoon.

A resolve of the House of Representatives that the Adjutant and Inspector General, and Quarter-Master General of this State, have and receive as a salary from June 1823, to June 1824, the sum of four hundred dollars, and that said sum be paid out of the Treasury, was brought up, read and referred to the committee on claims and accounts.

The bill, from the House of Representatives, entitled "an act to empower the First Congregational Parish in Barrington, to tax the pews in their meeting house," was considered, read a third time and passed.

Presented.

A message was received from the House of Representatives by the Assistant Clerk, who informed that the House had concurred in the amendment of the Senate to the bill for incorporating certain persons by the name of the Brookline Social Library, and he presented a bill correctly engrossed, embracing those amendments, which received the signature of the President, and was

Presented.

A resolve from the House of Representatives, instructing the Commissary General to make the necessary repairs to the arms received from the United States, was brought up, read, and referred to the committee on the militia.

A message was received from the House of Representatives by the Assistant Clerk, communicating their bill, entitled "an act to incorporate certain persons by the name of the Portsmouth Steam Factory," to which the concurrence of the Senate was requested, and the same having passed two readings, was referred to the committee on corporations.

A resolve of the House of Representatives, appropriating monies to be laid out by the Adjutant General for military purposes, was brought up, read and referred to the committee on the militia.

A resolve of the House of Representatives directing the Secretary of State to distribute the laws of the several sessions of the Congress of the United States, now remaining in his office, was brought up, read, and referred to the committee on claims and accounts.

Mr. Colby, from the committee to whom was referred the bill from the House of Representatives, entitled "An act to incorporate certain persons, by the name of the Union Lodge No. 10, in the town of Orford," reported the same without amendment.

Which report was accepted, and on motion by Mr. Webster, the bill was ordered to a third reading at three o'clock this afternoon.

Mr. Poole, for the committee to whom was referred the resolve from the House of Representatives, appropriating moneys to be laid out by the Adjutant General, for military purposes, reported the same without amendment.

Which report was accepted, and the bill ordered to a third reading at three o'clock this afternoon.

A message was received by the Assistant Clerk from the House of Representatives, communicating their bill for incorporating Joseph Smith and his associates, by the name of the Winnepisiogee Lake Steam Boat Company, to which the concurrence of the Senate was requested, and the same having been twice read, was referred to the committee on the judiciary.

Mr. Wood, for the committee to whom was referred so much of his Excellency's message as relates to a change of the laws regulating the choice of Representatives to Congress, reported, that the further consideration of the subject be postponed to the next session of the General Court.

Which report was read and accepted.

A resolve of the House of Representatives fixing the compensation for the Counsellors, Senators and Representatives, was brought up, read and referred to the committee on claims.

A resolve of the House of Representatives allowing Moses Foss, jun. and others, a further time for the payment of a debt due by them to the State,

And a resolve, allowing William Pickering thirty-eight dollars and ninety-three cents in full of his account, for expenses incurred in his office of Treasurer, &c. were brought up, read and referred to the committee on claims.

A message was received from the House of Representatives, communicating a bill for the concurrence of the Senate, for establishing the times and places of holding Probate Courts in the county of Cheshire ; which was read, and referred to the committee on the judiciary.

The following bills from the House of Representatives, viz :

A bill for incorporating certain persons by the name of the Boston and Concord Boating Company.

A bill to change the names of sundry persons therein named.

A bill, in addition to the "act for mending and repairing the highways in this state,"

Were severally read a third time, and passed.

Mr. Eastman, to whom was referred the resolution in favor of James Dean, reported the same without amendment.

Which report was accepted ; and on motion of Mr. Wallace, the resolution was ordered to a third reading at three o'clock this afternoon.

The following resolution was submitted by Mr. Cogswell :

That the committee on the judiciary be directed to inquire into the expediency of making a law authorizing the members of the General Court from the towns now constituting the county of Merrimack, to form a convention for the purpose of raising money for the use of the new county, and that they report by bill or otherwise ; which passed, and the committee was instructed accordingly.

The bill from the House of Representatives, authorizing the sale of parsonage land belonging to the Congregational Society in Plaistow, and for other purposes, was read a third time, when a motion was made by Mr. Boardman, that the bill be postponed to the next session of the Legislature.

And on that question, the yeas and nays were called for by Mr. Eastman.

Those who voted in the affirmative, are—

Messrs. Boardman, D. L. Morrill, E. Morrill, Wallace, Colby, Wood and Poole.

Those who voted in the negative, are—

Messrs. Kimball, Eastman, Cogswell, Gilmore and Webster.

Yeas 7.

Nays 5.

So the motion for postponement prevailed.

Mr. Poole, for the committee to whom was referred the resolution appropriating moneys to be laid out by the Adjutant General for military purposes, reported the same without amendment.

Which report was accepted, the resolve read, and ordered to a third reading at three o'clock this afternoon.

A message was received from the House of Representatives by the Assistant Clerk, communicating their bill for incorporating the Lake Manufacturing Company, to which the concurrence of the Senate was requested, and the same having been twice read, was referred to the committee on corporations.

Mr. Colby, for the committee to whom was referred the bill from the House of Representatives, entitled an "act to incorporate certain persons by the name of the Portsmouth Steam Factory," reported the same without amendment.

Which report was accepted, and on motion by Mr. Eastman, the bill was ordered to a third reading at three o'clock this afternoon.

A resolve of the House of Representatives, that the town of Kilkenny shall be annexed to the class or dis-

tract now composed of Jefferson, Durand, Shelburne, Shelburne Addition, Bretton Woods, and Nash and Sawyer's Location, for the purpose of voting for a representative to the General Court, was brought up, read and referred to the committee on the judiciary.

Mr. Eastman, for the committee to whom was referred the bill from the House of Representatives, establishing the times and places of holding Probate Courts in the county of Cheshire, reported the bill without amendment; when, on his motion, the same was indefinitely postponed.

The bill, entitled "an act to incorporate certain persons by the name of Mount Moriah Lodge, No. 22, in the town of Canaan," was read a third time and passed.
Adjourned.

TUESDAY AFTERNOON.

Met according to adjournment.

The following resolve of the House of Representatives, was, agreeably to order, called up, read a third time and passed:

Resolved by the Senate and House of Representatives in General Court convened, that the following sums be appropriated for the purposes hereafter mentioned; that is to say, the sum of 456 dollars for the annual allowance to the several companies of artillery; 600 dollars for the purchase of musical instruments; 78 dollars for making regimental returns; 100 dollars for the purchase of colors; 100 dollars for printing blanks of different kinds; 100 dollars for the repairs of gun-houses in the respective regiments; 300 dollars for the purchase of a piece of ordnance for the use of the thirty-ninth regiment; 50 dollars for the erection of a gun-house within the thirty-ninth regiment, for the safe keeping of said piece of ordnance: and his Excellency the Governor is hereby authorized, by warrant on the Treasury, to draw said sums therefrom at such times as he may think proper, and deliver the same to

the Adjutant General, who is hereby required to apply the several sums to the purposes above specified, so far as the good of the militia shall require, and render his account of expenditures to the next Legislature.

A message was received from the House of Representatives, by Mr. Sherburne, communicating for the concurrence of the Senate, a bill to incorporate Rising Sun Lodge, No 39, and a bill to change the name of the Franklin Literary Society in Northfield, which were respectively read, and on motion of Mr. Wallace, passed a second reading, and were referred to the committee on incorporations.

A message was received from the House of Representatives by Mr. Sawyer, Assistant Clerk, informing the Senate that the House had concurred with the Senate in their amendment to the bill incorporating a Social Library in the town of Brookline, and he presented a bill correctly engrossed embracing the amendments, which received the signature of the President, and was
Presented.

Mr. Colby, for the committee to whom was referred the bill from the House of Representatives to incorporate an association for a library in the town of Bristol, reported the same without amendment.

Which report was accepted, and having passed a second reading, was ordered to be read a third time at nine o'clock to-morrow morning.

On motion of Mr. Kimball, the bill to establish an additional term of the Superior Court of Judicature, was taken up, and on his motion, indefinitely postponed.

On motion by Mr. Eastman, the resolution authorizing our Senators and Representatives in Congress to make application that the Indian Stream Territory may be ceded to New-Hampshire, was taken up, considered, and on motion by Mr. Cogswell, was again ordered to lie on the table.

Mr. Boardman, for the committee to whom was referred the resolution from the House of Representa-

tives, directing the distribution of the laws of the United States, reported the same without amendment.

Which report was read and accepted, and the resolve having passed a second reading, was ordered to be read a third time at nine o'clock to-morrow morning.

Mr. Poole, for the committee to whom was referred the resolve from the House of Representatives, directing the Commissary General to repair the arms received from the United States, reported the same without amendment.

Which was read and accepted, and the resolve having passed a second reading, was ordered to be read a third time at nine o'clock to-morrow morning.

Mr. Eastman, for the committee to whom was referred the resolve from the House of Representatives for the appointment of a committee to revise the laws relative to the assessment and collection of taxes, reported the same without amendment.

Which report was accepted, and the bill having passed a second reading, was ordered to be read a third time at nine o'clock to-morrow morning.

Mr. Eastman, also for the committee to whom was referred the bill from the House of Representatives to incorporate certain persons by the name of the Proprietors of the Dover Aqueduct, and the bill from the House of Representatives to establish the times and places of holding Probate Courts in the county of Cheshire, reported the same without amendment.

Which reports were respectively read and accepted, and both bills having passed a second reading, the first bill was ordered to a third reading to-morrow morning at nine o'clock ; and on motion of Mr. Eastman, the second was postponed to the next session of the Legislature.

Mr. Webster, for the committee on engrossed bills, reported the resolve requiring selectmen to make returns of sheep and wool as correctly engrossed.

Which was read a third time and passed.

Mr. Colby, for the committee to whom was referred the bill from the House of Representatives to change the name of the Franklin Literary Society in Northfield, reported the same without amendment.

Which report was read and accepted, and the bill having passed a second reading, was ordered to be read a third time at nine o'clock to-morrow morning.

Mr. Boardman, for the committee to whom was referred the resolve of the House of Representatives allowing William Pickering, the Treasurer, thirty-eight dollars and ninety-three cents in full of his account, reported the same without amendment.

Which report was accepted, and the resolve ordered to be read a third time, at nine o'clock to-morrow morning.

Mr. Eastman, for the committee on the judiciary, agreeably to an order of the Senate, reported a bill, authorizing the members of the General Court from the towns now forming the county of Merrimack, to form themselves into a convention for the purpose of raising money for the use of the new county.

Which passed two readings and was ordered to a third reading at five o'clock this afternoon.

A resolution from the House of Representatives for printing and distributing the laws and journals of the present session of the Legislature,

And a resolution, allowing Joseph Clough sixteen dollars in full of his account, were brought up, read and referred to the committee on claims.

A resolve of the House of Representatives, appointing Timothy Farrar agent to take charge of the Medical Building at Hanover, belonging to the State, was brought up, read, and referred to the committee on corporations.

Mr. Colby, for the committee to whom was referred the bill from the House of Representatives, to incorporate certain persons by the name of the Portsmouth Handel Society, reported the same with the following amendments: in section 3, line 4, amend by striking out the words *which shall be exempt from taxation*.

Which report was accepted, and the amendment adopted; when, on motion by Mr. Eastman, the bill was further amended by erasing the words *and William Claggett*, in the third line of the second section.

When the amendments were ordered to be engrossed, and the bill read a third time to-morrow morning at nine o'clock.

The resolve of the House of Representatives, requesting the Governor to appoint some suitable person to preach the next election sermon, was twice read, and on motion of Mr. Eastman, ordered to a third reading to-morrow morning at nine o'clock.

The following resolves of the House of Representatives, were, agreeably to the order of the day, read a third time and passed :

A resolve, authorizing the Secretary to arrange the Journals of the Committee of Safety for the State of New-Hampshire, from the year 1775 to 1783, inclusive, and

A resolve, allowing James Dean five hundred dollars, for his services as professor in the late Dartmouth University.

The resolve of the House of Representatives, allowing Moses C. Pilsbury two hundred dollars, in addition to his salary, was called up, and, on motion of Mr. Wallace ordered to lie on the table.

The following bills of the House of Representatives were, agreeably to the order of the day, called up, read a third time, and passed :

A bill, to incorporate certain persons by the name of the Portsmouth Steam Factory.

A bill, to establish a corporation by the name of the First Cotton Mill in Merrimack.

A bill, to incorporate certain persons by the name of Union Lodge No. 10, in the town of Orford.

A bill, to incorporate certain persons by the name of Holderness Union Library Society.

A bill, to authorize and empower the members of the Legislature, in the House of Representatives, from the

several towns constituting the county of Merrimack to form themselves into a convention for certain purposes.

A bill was received from the House of Representatives, entitled "An act to raise thirty thousand dollars for the use of this State."

Which was twice read, and referred to the committee on the judiciary.

The resolve authorizing the Treasurer to borrow eight thousand dollars on the credit of the State, was read a third time, and passed.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in the resolve of the Senate, appropriating a sum of money to the agricultural societies in the respective counties, and to the Board of Agriculture, with the following amendment, viz: to strike out the last section, appropriating one hundred and fifty dollars for the use of the Board of Agriculture for this State.

Mr. Colby, for the committee to whom were referred the following bills from the House of Representatives, viz :

A bill, incorporating the Rising Sun Lodge, No. 39.

A bill, to incorporate the Lake Manufacturing Company ; and

A resolve, appointing Timothy Farrar, Agent on the part of the State, to take charge of the Medical building at Hanover :

Reported the same without amendment.

Which report was accepted ; when the same were respectively read and ordered to a third reading to-morrow morning at nine o'clock.

Adjourned to 9 o'clock to-morrow morning.

WEDNESDAY, JULY 2, 1823.

Met according to adjournment.

The bill in addition to an act entitled "an act for the better regulation of schools, and for repealing certain laws now in force respecting the same," passed December 22, 1808, was considered, read a third time, passed, and was sent to the House of Representatives for their concurrence therein.

The following bills and resolves were respectively read a third time and passed.

A bill, to incorporate certain persons by the name of the Proprietors of the Dover Aqueduct.

A resolve, appointing Timothy Farrar, agent of the Medical building at Hanover.

A bill, to incorporate Rising Sun Lodge, No. 39.

A bill, to incorporate the Lake Manufacturing Company.

A bill, to incorporate certain persons by the name of the Portsmouth Handel Society.

A bill, to incorporate an association for a library in the town of Bristol.

A bill, to change the name of the Franklin Literary Society in Northfield.

A resolution, directing the Commissary General to repair the arms belonging to the State.

A resolve, allowing William Pickering the sum of thirty-eight dollars and ninety-three cents in full of his account.

A resolve, for the appointment of a committee to revise the laws relative to the assessment and collection of taxes.

A resolve, directing the distribution of the laws of the United States.

A resolve, requesting the Governor to appoint some suitable person to preach the next election sermon.

The Senate resumed the consideration of the resolve allowing Moses C. Pilsbury, Warden of the State Prison, two hundred dollars in addition to his salary.

And in deciding this question, the yeas and nays were called for by Mr. Wallace.

Those who voted in the affirmative, are—

Messrs. Boardman, Kimball, D. L. Morrill, E. Morrill, Eastman, Colby, Wood, Poole and Webster.

Those who voted in the negative are—

Messrs. Cogswell, Wallace and Gilmore.

Yeas 9.

Nays 3.

So the resolve passed to be enacted.

A bill, in addition to an act passed June 20, 1811, entitled "an act to prevent the destruction of salmon, shad and alewives in Merrimack river, and the several streams falling into the same, and for repealing certain laws heretofore made for that purpose," passed as amended, and was returned to the House for concurrence in the amendments.

A resolve was received from the House of Representatives, appointing Messrs. Keith of Wentworth, Abbot of Wilton, and Clindennin, with such as the Senate may join, a committee to report what compensation shall be made to the Rev. Thomas Beede, for his services as Chaplain to the Legislature the present session, which was concurred, and Mr. Morrill joined.

A resolution, granting to the N. H. Historical Society copies of the Journals of the Legislature, &c. was received from the House of Representatives, and having passed two readings, was referred to the committee on education, general literature, and the disposition of the literary fund.

The following resolves were received from the House of Representatives, read, and referred to the committee on claims, viz.

A resolve, allowing Jacob B. Moore one hundred and thirty-five dollars and one cent.

A resolve, authorizing the Treasurer to take Stephen P. Webster's note for balance due to the State.

Mr. Eastman, for the committee to whom was referred the bill from the House of Representatives, for

raising thirty thousand dollars for the use of the State ; and the resolve to annex the town of Kilkenny to the towns of Jefferson, Durand, &c. for the purpose of voting for a representative to the General Court, reported the same without amendment.

Which report was accepted ; and the resolves having passed a second reading, were both ordered to be read a third time at three o'clock this afternoon.

Mr. Eastman, for the committee to whom was referred the bill from the House of Representatives, to incorporate Joseph Smith and his associates by the name of the Winnepegosee Lake Steam Boat Company, reported the same without amendment.

Which report was accepted ; and the bill having passed a second reading, was ordered to be read a third time at three o'clock, this afternoon.

Mr. Boardman, for the committee to whom were referred the following resolves of the House of Representatives, viz :

A resolve, allowing Joseph Clough the sum of sixteen dollars.

A resolve, allowing the Adjutant General and Quarter-Master General, a salary of four hundred dollars.

A resolve, allowing Moses Foss, jun. and others, a further time for the payment of a debt due by them to the State,

And the resolution, for printing and distributing the laws and journals of the Legislature, reported the same without amendment.

Which report was accepted ; and the resolves read a second time, and ordered to a third reading at three o'clock this afternoon.

Mr. Colby, for the committee to whom was referred the bill from the House of Representatives, in addition to and in amendment of an act, passed July 1, 1819, entitled " an act in amendment of an act entitled an act for regulating towns and the choice of town officers," passed Feb. 8, 1791. reported the same with the following amendments, viz :

Section 1, line 7, after the words *a permanent fund*, insert *not exceeding ten thousand dollars*, and strike out the latter part of the section, viz : the words *and five thousand dollars of such fund or funds shall be exempted from taxation*.

Which report was accepted, and the bill having passed a second reading, the amendments were ordered to be engrossed, and the bill read a third time at three o'clock this afternoon.

Mr. Colby submitted the following resolution

Resolved, that the judiciary committee be instructed to inquire into the expediency of altering or amending the laws establishing a Court of Sessions in this State, and that they report by bill or otherwise.

Which resolution passed, and the committee were instructed accordingly.

A resolve from the House of Representatives, making provision for taking the sense of the qualified voters in the county of Rockingham as to the places of holding the courts in that county, was received and having had two readings, Mr. Boardman moved that the resolution be indefinitely postponed.

On which motion, the yeas and nays were called for by Mr. Kimball.

Those who voted in the affirmative, are—

Messrs. Boardman, D. L. Morrill, Eastman, Cogswell, Wallace, Gilmore, Wood, Poole, and Webster.

Those who voted in the negative, are—

Messrs. Kimball, E. Morrill and Colby.

Yeas 9.

Nays 3.

So the motion for indefinite postponement prevailed.

The following bills from the House of Representatives, were communicated by the Assistant Clerk, and having respectively passed a second reading, were referred to the committee on the judiciary, viz :

A bill, to reduce the number of the justices of the several Courts of Sessions in this State.

A bill, to provide for annual returns of the receipts and expenditures of the several counties in this State.

A bill, requiring overseers of the poor to make annual returns of the state of pauperism in their respective towns to the Secretary's office ; and

A resolution, providing for taking the sense of the qualified voters in the county of Hillsborough on establishing a shire town for said county.

Mr. Eastman, for the committee instructed to inquire into the expediency of altering or amending the laws establishing a Court of Sessions in this State, reported the following bill, viz :

An act in addition to an act regulating the jurisdiction of the courts of Common Pleas.

Which report was accepted, and the bill having had two readings, was ordered to be engrossed and read a third time at half past eleven o'clock this forenoon.

Mr. Webster subsequently reported the above bill as correctly engrossed, and on his motion, it was ordered to lie on the table.

The statements of the county treasurers, returned agreeably to a resolve of the last session, were received and referred to the committee on claims.

Adjourned.

WEDNESDAY AFTERNOON.

Met according to adjournment.

The following bills and resolves of the House of Representatives, were read a third time and passed to be enacted.

A resolve, to annex the town of Kilkenny to the towns of Jefferson, Durand, &c. for the purpose of voting for a Representative to the General Court.

A bill, in addition to and in amendment of an act, entitled "an act for laying out highways," passed February 8, 1791.

A bill, in addition to and in amendment of an act, entitled "an act for regulating towns and the choice of town officers," passed February 8, 1791.

The following resolutions were received from the House of Representatives, and having passed two readings, were referred to the committee on claims.

A resolution, that George Sullivan, Esq. receive as a salary for discharging the duties of Attorney General the present year, eight hundred dollars.

A resolve, that the Commissary General have and receive as a salary, from June 1823, to June 1824, the sum of forty dollars.

A resolve, that the Treasurer have and receive as a salary, from June 1823, to June 1824, the sum of six hundred dollars.

A resolve, that the Secretary have and receive as a salary, from June 1823, to June 1824, the sum of seven hundred dollars.

A resolve, that his Excellency the Governor have and receive as a salary, from June 1823, to June 1824, the sum of twelve hundred dollars.

Mr. Eastman, for the committee to whom was referred the bill from the House of Representatives, requiring overseers of the poor to make annual returns of the state of pauperism in their respective towns to the Secretary's office, reported the same without amendment.

Which report was accepted; and the bill having had two several readings, was ordered to be read a third time this afternoon at four o'clock.

Mr. Eastman, for the committee to whom was referred the bill from the House of Representatives, to reduce the number of the justices of the Courts of Sessions in this State, reported the same without amendment.

Which report was accepted; and the bill having passed a second reading, was, on his motion, indefinitely postponed.

A bill, in addition to an act, entitled "an act regulating the jurisdiction of the courts of law, and alter-

ing the style and name of the Courts of Common Pleas, was taken up, read a third time, and passed.

The following bills and resolves, from the House of Representatives, were taken up, read a third time, and passed :

A resolve, allowing Joseph Clough sixteen dollars in full of his account.

A bill, appropriating one hundred dollars for the increase of the State Library.

A resolve, allowing Moses Foss, jun. and others, a further time for the payment of a debt due by them to the State.

A resolve, that the Adjutant General have and receive as a salary, from June 1823, to June 1824, the sum of four hundred dollars.

A resolve, for printing and distributing the laws and journals of the legislature.

A bill, to incorporate Joseph Smith and his associates by the name of the Winnepisiogee Lake Steam Boat Company.

Mr. Boardman, for the committee to whom was referred the resolve allowing Jacob B. Moore one hundred and thirty-five dollars and one cent, in full of his account, and

A resolve, authorizing the Treasurer to take Stephen Peabody Webster's note for balance due to the State, reported the same without amendment.

Which report was accepted ; and the resolves having passed two readings, were ordered to be read a third time at five o'clock this afternoon.

Mr. Cogswell moved to re-consider the vote passed this forenoon, on the resolve for taking the sense of the qualified voters in the county of Rockingham, as to the place for holding the respective courts in that county, and that the Senate should take into consideration a petition that had been preferred on that subject.

Which motion was ordered to lie.

Mr. Eastman, for the committee to whom was referred the bill from the House of Representatives, pro-

viding for annual returns to be made of the receipts and expenditures of the several counties in this State, reported the same with an amendment, by striking out all after the enacting clause, and inserting a substitute.

Which report was accepted, and the bill ordered to be engrossed as amended, and read a third time at five o'clock this afternoon.

Mr. Boardman, for the committee to whom was referred the following resolves of the House of Representatives, viz.

A resolve, that his Excellency Levi Woodbury should receive twelve hundred dollars for his salary as Chief Magistrate for the present year.

A resolve, that George Sullivan, Esq. should receive the sum of eight hundred dollars as his salary for discharging the duties of Attorney General during the present year.

A resolve, that William Pickering, Esq. should receive the sum of six hundred dollars for his salary as Treasurer of the State for the present year.

A resolve, that Robert Neal, jr. should receive the sum of forty dollars as his salary as Commissary General for the present year, reported the same without amendment.

Which report was accepted; and the resolves respectively ordered to a third reading at five o'clock this afternoon.

Mr. Poole, for the committee appointed from both Houses, to assign a time when the public business will admit of the session coming to a close, reported, that in their opinion the session might close on Thursday next.

Which report was accepted.

On motion by Mr. Webster, his resolve authorizing our Senators and Representatives in Congress to make application that the Indian Stream Territory may be ceded to New-Hampshire, was considered; when Mr. Eastman moved that the same be postponed to the

next session of the Legislature, which was decided in the affirmative.

Mr. Boardman, for the committee to whom was referred the resolve of the House of Representatives, providing for the salary of the Secretary of State for the present year, reported the same with an amendment.

To strike out all the second section thereof, and insert *three hundred dollars, as the salary of the Secretary for the present year.*

Which report was accepted ; and the amendments adopted, and the resolve ordered to be engrossed as amended, and read a third time at five o'clock this afternoon.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in the bill from the Senate, in addition to the act entitled "an act regulating the jurisdiction of the courts of law, and altering the style and name of the courts of Common Pleas," with sundry amendments, and he presented the same for the concurrence of the Senate.

The Senate having taken into consideration the amendments of the House to the aforesaid bill, the same were, on motion by Mr. Eastman, non-concurred, and information thereof communicated to the House.

The bill, from the House of Representatives, providing for annual returns to be made of the receipts and expenditures of the several counties in this State, was read a third time, passed as amended, and sent down for concurrence therein.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House adhered to their amendments of the bill from the Senate, in addition to the act regulating the jurisdiction of the courts of law, &c. &c.

The Senate having resumed the consideration of the amendments of the House to the foregoing bill, on motion by Mr. Eastman, voted to insist on their disagree-

ment to the aforesaid amendments, which was forthwith communicated to the House.

The following resolves of the House of Representatives were, agreeably to order, read a third time and passed to be enacted.

A resolve, granting his Excellency Levi Woodbury twelve hundred dollars as his salary, for the present year.

A resolve, granting the Attorney General eight hundred dollars in full for his salary the present year.

A resolve, granting the Treasurer of the State six hundred dollars for his salary the present year.

A resolve, granting the Commissary General forty dollars for his salary the present year.

The resolve of the House of Representatives, authorizing the Treasurer to take the Hon. Stephen Peabody Webster's note for a balance due to the State, was read a third time and passed.

The resolve of the House of Representatives, allowing Jacob B. Moore one hundred and thirty-five dollars and one cent, in full of his account, was read a third time and passed.

A message was received from the House of Representatives, by the Assistant Clerk, communicating their resolve for the concurrence of the Senate, allowing the Rev. Thomas Beede fifty-six dollars and eighty cents for his services as Chaplain during the present session, and the same having passed two readings, was referred to the committee on claims and accounts.

A message was communicated from the House of Representatives, by the Assistant Clerk, who informed that the House insisted on adhering to their non-concurrence of the amendments of the Senate to the resolve making provision for the salary of the Secretary of State for the present year.

The Senate having resumed the consideration of the aforesaid resolve, on motion by Mr. Colby, voted to insist on adhering to their amendments thereto, and information thereof was communicated to the House.

Mr. Boardman, for the committee, to whom was referred the resolve of the House of Representatives, allowing the reverend Thomas Beede, fifty six dollars and eighty cents, in full for his services as chaplain to the Legislature during the present session, reported the same without amendment.

Which report was accepted ; and on motion, the resolve was read a third time and passed.

A message was communicated from the House of Representatives by Mr. Hubbard, informing that the House had again deliberated on the bill from the Senate, in addition to the act, entitled "an act regulating the jurisdiction of the Courts of Law, and altering the style and name of the Courts of Common Pleas," and did not think proper to recede from their amendments to the bill ; but with a view, however, to promote so desirable an object as an agreement with the honorable Senate on the provisions thereof, the House were ready to constitute a conference on this subject, and for this purpose had nominated Messrs. Smith of Exeter, Hubbard and Atherton, conferees on their part, which were respectfully presented to be joined by the Senate if deemed expedient.

And the Senate having taken the same into consideration, on motion by Mr. Wallace, it was voted to concur in the proposition of the House, and Mr. Eastman was appointed a conferee on the part of the Senate, and information thereof immediately sent to the House.

The motion of Mr. Cogswell, that the vote of the Senate on the resolve for taking the sense of the qualified voters in the County of Rockingham, as to the place for holding the respective courts in that County be re-considered, was called up and decided in the negative.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House had receded from their amendment of the second section of the bill, "in addition to the act, entitled an act regulating the jurisdiction of the Courts of Law,"

&c. &c. but still adhered to their amendment of the third section thereof.

When, on motion by Mr. Eastman, the Senate receded from their vote of non-concurrence to the amendment of the House of the third section of the said bill, and concurred the same.

Mr. Eastman, for the committee, to whom was referred the resolution providing for taking the sense of the qualified voters in the county of Hillsborough, on the subject of establishing a shire town for that county; reported the same without amendment.

Which reported was accepted; and the resolution ordered to a third reading at half past six o'clock this afternoon.

A message was received from the House of Representatives by the Assistant Clerk, who communicated the following resolves for concurrence:

A resolve, allowing John Johnson forty dollars.

A resolve, allowing John Johnson fifty-two dollars and fifty cents.

A resolve, allowing Edward Philbrick fifty-two dollars and fifty cents.

A resolve, allowing Joseph Cofran fifty-three dollars and twenty-five cents.

A resolve, allowing James Buswell fifty-two dollars and fifty cents, in full for their services as door keepers the present session.

A resolve, allowing Thomas E. Sawyer nine dollars; and

A resolve, allowing Albe Cady eleven dollars and seventy-five cents, in full of their respective accounts.

A resolve, allowing Seth Spring fifty-nine dollars; and the same having passed two readings, were respectively referred to the committee on claims and accounts.

The resolution, making provision for taking the sense of the qualified voters in the county of Hillsborough, on the subject of establishing a shire town

for that county, was called up for a third reading; when the same, on motion of Mr. Boardman, was ordered to lie on the table.

Mr. Boardman, for the committee, to whom was referred the following resolves of the House of Representatives, viz.

A resolve, allowing Seth Spring fifty-nine dollars.

A resolve, allowing John Johnson forty dollars, reported the same without amendment.

Which report was accepted; and the same were read a third time and passed.

Mr. Wood, for the committee appointed by both Houses, to nominate a suitable person to have the charge and care of the Capitol, reported Edward Philbrick as a suitable person for that trust; and the resolve of the House of Representatives appointing him to that trust, passed two readings, and was referred to the committee on claims and accounts.

On motion by Mr. Wallace,

The resolve providing for taking the sense of the qualified voters in the county of Hillsborough, on the subject of a shire town for that county, was taken up, read a third time and passed.

Mr. Boardman, for the committee to whom the subject matter was referred, made the following report:

The committee to whom was referred that part of his Excellency's message relating to commerce, roads and canals, ask leave to report,

That they have taken the several subjects into consideration, and are of opinion that the national government has afforded all the aid and protection to our commerce abroad, that the nature of the case demands, and they are of opinion, that the several towns in this State are laying out new roads, straightening and repairing the old, and making such improvements on them, as to afford a confident expectation, that in a few years the roads in this State, will be equal, if not superior to those in our neighboring States, without any particular aid from the State Government.

Your committee are well aware that the subject of canals demands the first consideration, as affording the most easy, safe and cheap conveyance, for all those heavy articles, which are now transported by teams from the interior of the country, to the seaboard, and from the seaboard to the interior, such as lumber of every description, and many kinds of country produce, and in return, salt, iron, and all kinds of West-India Goods. A canal from lake Winnepisiogee to the tide waters at Dover, would, in the opinion of the committee, be one of the greatest improvements that could be made in the State. It would afford a great supply of articles for exportation, which would increase our commerce, and afford a ready and good market for the surplus produce of our country, and be a great source of wealth to the State.

Your committee are of opinion, that the Legislature should afford any company that would undertake to make the aforesaid canal, such aid as to secure the object, by authorizing the Governor for the time being, to subscribe for shares to the amount of twenty thousand dollars, which should be held as the property of the State, and should be paid for by sales of their wild land, or by sales of so much of the three per cent. stock, as would be sufficient for that purpose ; but as there is no company at this time formed to undertake the aforesaid canal, and as the subject is probably new to many of the good citizens of this State, the committee therefore recommend that the further consideration thereof be postponed until the next session of the Legislature.

Which report was read and accepted.

The resolve of the Senate, appropriating a certain sum of money to each of the County agricultural societies in this State, was considered, with the amendment of the House of Representatives thereto, when the amendment was adopted, and the resolve ordered to be engrossed for a third reading, to-morrow morning at five o'clock.

A message was received from the House of Representatives, by their Assistant Clerk, informing that the House had again deliberated on their resolve, making provision for the salary of the Secretary of the State, and still adhered to their disagreement to the amendment of the Senate thereto ; and the Senate having taken the same into consideration,

Mr. Eastman moved, that a committee of conference be raised on this subject, and that a proposition therefor be made to the House of Representatives. Which motion prevailed ; and Mr. Eastman was appointed a conferee on the part of the Senate, and information thereof was communicated to the House.

A message was received from the House of Representatives, by their Assistant Clerk, informing that the House had concurred in the proposition of the Senate, to constitute a committee of conference on the resolve making provision for the salary of the Secretary of the State, and had appointed Messrs. Smith of Exeter, Hubbard and Atherton, conferees.

On motion by Mr. Wallace,

The resolution of the House of Representatives, for furnishing the members of the New-Hampshire Historical Society with copies of the Journals of the Legislature, and granting them the use of a room in the capitol for their records, &c. was considered ; when, on his motion, the same was amended by striking out all the latter part thereof, and the resolve was ordered to be engrossed as amended, and read a third time at half past six o'clock this afternoon.

The Senate resumed the consideration of the resolution making provision for the salary of the Secretary of the State, when, on the report of Mr. Eastman, for the committee of conference thereon, the Senate receded from their first amendment, and made the following thereto. Strike out the word *seven*, and insert *eight*, making thereby the Secretary's annual salary eight hundred dollars ; and on the question, Shall this resolution be thus amended ? it was decided in

viding for annual returns to be made of the receipts and expenditures of the several counties in this State, reported the same with an amendment, by striking out all after the enacting clause, and inserting a substitute.

Which report was accepted, and the bill ordered to be engrossed as amended, and read a third time at five o'clock this afternoon.

Mr. Boardman, for the committee to whom was referred the following resolves of the House of Representatives, viz.

A resolve, that his Excellency Levi Woodbury should receive twelve hundred dollars for his salary as Chief Magistrate for the present year.

A resolve, that George Sullivan, Esq. should receive the sum of eight hundred dollars as his salary for discharging the duties of Attorney General during the present year.

A resolve, that William Pickering, Esq. should receive the sum of six hundred dollars for his salary as Treasurer of the State for the present year.

A resolve, that Robert Neal, jr. should receive the sum of forty dollars as his salary as Commissary General for the present year, reported the same without amendment.

Which report was accepted; and the resolves respectively ordered to a third reading at five o'clock this afternoon.

Mr. Poole, for the committee appointed from both Houses, to assign a time when the public business will admit of the session coming to a close, reported, that in their opinion the session might close on Thursday next.

Which report was accepted.

On motion by Mr. Webster, his resolve authorizing our Senators and Representatives in Congress to make application that the Indian Stream Territory may be ceded to New-Hampshire, was considered; when Mr. Eastman moved that the same be postponed to the

next session of the Legislature, which was decided in the affirmative.

Mr. Boardman, for the committee to whom was referred the resolve of the House of Representatives, providing for the salary of the Secretary of State for the present year, reported the same with an amendment.

To strike out all the second section thereof, and insert *three hundred dollars, as the salary of the Secretary for the present year.*

Which report was accepted ; and the amendments adopted, and the resolve ordered to be engrossed as amended, and read a third time at five o'clock this afternoon.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in the bill from the Senate, in addition to the act entitled "an act regulating the jurisdiction of the courts of law, and altering the style and name of the courts of Common Pleas," with sundry amendments, and he presented the same for the concurrence of the Senate.

The Senate having taken into consideration the amendments of the House to the aforesaid bill, the same were, on motion by Mr. Eastman, non-concurred, and information thereof communicated to the House.

The bill, from the House of Representatives, providing for annual returns to be made of the receipts and expenditures of the several counties in this State, was read a third time, passed as amended, and sent down for concurrence therein.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House adhered to their amendments of the bill from the Senate, in addition to the act regulating the jurisdiction of the courts of law, &c. &c.

The Senate having resumed the consideration of the amendments of the House to the foregoing bill, on motion by Mr. Eastman, voted to insist on their disagree-

ment to the aforesaid amendments, which was forthwith communicated to the House.

The following resolves of the House of Representatives were, agreeably to order, read a third time and passed to be enacted.

A resolve, granting his Excellency Levi Woodbury twelve hundred dollars as his salary, for the present year.

A resolve, granting the Attorney General eight hundred dollars in full for his salary the present year.

A resolve, granting the Treasurer of the State six hundred dollars for his salary the present year.

A resolve, granting the Commissary General forty dollars for his salary the present year.

The resolve of the House of Representatives, authorizing the Treasurer to take the Hon. Stephen Peabody Webster's note for a balance due to the State, was read a third time and passed.

The resolve of the House of Representatives, allowing Jacob B. Moore one hundred and thirty-five dollars and one cent, in full of his account, was read a third time and passed.

A message was received from the House of Representatives, by the Assistant Clerk, communicating their resolve for the concurrence of the Senate, allowing the Rev. Thomas Beede fifty-six dollars and eighty cents for his services as Chaplain during the present session, and the same having passed two readings, was referred to the committee on claims and accounts.

A message was communicated from the House of Representatives, by the Assistant Clerk, who informed that the House insisted on adhering to their non-concurrence of the amendments of the Senate to the resolve making provision for the salary of the Secretary of State for the present year.

The Senate having resumed the consideration of the aforesaid resolve, on motion by Mr. Colby, voted to insist on adhering to their amendments thereto, and information thereof was communicated to the House.

Mr. Boardman, for the committee, to whom was referred the resolve of the House of Representatives, allowing the reverend Thomas Beede, fifty six dollars and eighty cents, in full for his services as chaplain to the Legislature during the present session, reported the same without amendment.

Which report was accepted ; and on motion, the resolve was read a third time and passed.

A message was communicated from the House of Representatives by Mr. Hubbard, informing that the House had again deliberated on the bill from the Senate, in addition to the act, entitled " an act regulating the jurisdiction of the Courts of Law, and altering the style and name of the Courts of Common Pleas," and did not think proper to recede from their amendments to the bill ; but with a view, however, to promote so desirable an object as an agreement with the honorable Senate on the provisions thereof, the House were ready to constitute a conference on this subject, and for this purpose had nominated Messrs. Smith of Exeter, Hubbard and Atherton, conferees on their part, which were respectfully presented to be joined by the Senate if deemed expedient.

And the Senate having taken the same into consideration, on motion by Mr. Wallace, it was voted to concur in the proposition of the House, and Mr. Eastman was appointed a conferee on the part of the Senate, and information thereof immediately sent to the House.

The motion of Mr. Cogswell, that the vote of the Senate on the resolve for taking the sense of the qualified voters in the County of Rockingham, as to the place for holding the respective courts in that County be re-considered, was called up and decided in the negative.

A message was received from the House of Representatives by the Assistant Clerk, informing that the House had receded from their amendment of the second section of the bill, "in addition to the act, entitled an act regulating the jurisdiction of the Courts of Law,"

&c. &c. but still adhered to their amendment of the third section thereof.

When, on motion by Mr. Eastman, the Senate receded from their vote of non-concurrence to the amendment of the House of the third section of the said bill, and concurred the same.

Mr. Eastman, for the committee, to whom was referred the resolution providing for taking the sense of the qualified voters in the county of Hillsborough, on the subject of establishing a shire town for that county ; reported the same without amendment.

Which reported was accepted ; and the resolution ordered to a third reading at half past six o'clock this afternoon.

A message was received from the House of Representatives by the Assistant Clerk, who communicated the following resolves for concurrence :

A resolve, allowing John Johnson forty dollars.

A resolve, allowing John Johnson fifty-two dollars and fifty cents.

A resolve, allowing Edward Philbrick fifty-two dollars and fifty cents.

A resolve, allowing Joseph Cofran fifty-three dollars and twenty-five cents.

A resolve, allowing James Buswell fifty-two dollars and fifty cents, in full for their services as door keepers the present session.

A resolve, allowing Thomas E. Sawyer nine dollars ; and

A resolve, allowing Albe Cady eleven dollars and seventy-five cents, in full of their respective accounts.

A resolve, allowing Seth Spring fifty-nine dollars ; and the same having passed two readings, were respectively referred to the committee on claims and accounts.

The resolution, making provision for taking the sense of the qualified voters in the county of Hillsborough, on the subject of establishing a shire town

for that county, was called up for a third reading; when the same, on motion of Mr. Boardman, was ordered to lie on the table.

Mr. Boardman, for the committee, to whom was referred the following resolves of the House of Representatives, viz.

A resolve, allowing Seth Spring fifty-nine dollars.

A resolve, allowing John Johnson forty dollars, reported the same without amendment.

Which report was accepted; and the same were read a third time and passed.

Mr. Wood, for the committee appointed by both Houses, to nominate a suitable person to have the charge and care of the Capitol, reported Edward Philbrick as a suitable person for that trust; and the resolve of the House of Representatives appointing him to that trust, passed two readings, and was referred to the committee on claims and accounts.

On motion by Mr. Wallace,

The resolve providing for taking the sense of the qualified voters in the county of Hillsborough, on the subject of a shire town for that county, was taken up, read a third time and passed.

Mr. Boardman, for the committee to whom the subject matter was referred, made the following report:

The committee to whom was referred that part of his Excellency's message relating to commerce, roads and canals, ask leave to report,

That they have taken the several subjects into consideration, and are of opinion that the national government has afforded all the aid and protection to our commerce abroad, that the nature of the case demands, and they are of opinion, that the several towns in this State are laying out new roads, straightening and repairing the old, and making such improvements on them, as to afford a confident expectation, that in a few years the roads in this State, will be equal, if not superior to those in our neighboring States, without any particular aid from the State Government.

Your committee are well aware that the subject of canals demands the first consideration, as affording the most easy, safe and cheap conveyance, for all those heavy articles, which are now transported by teams from the interior of the country, to the seaboard, and from the seaboard to the interior, such as lumber of every description, and many kinds of country produce, and in return, salt, iron, and all kinds of West-India Goods. A canal from lake Winnepisiogee to the tide waters at Dover, would, in the opinion of the committee, be one of the greatest improvements that could be made in the State. It would afford a great supply of articles for exportation, which would increase our commerce, and afford a ready and good market for the surplus produce of our country, and be a great source of wealth to the State.

Your committee are of opinion, that the Legislature should afford any company that would undertake to make the aforesaid canal, such aid as to secure the object, by authorizing the Governor for the time being, to subscribe for shares to the amount of twenty thousand dollars, which should be held as the property of the State, and should be paid for by sales of their wild land, or by sales of so much of the three per cent. stock, as would be sufficient for that purpose; but as there is no company at this time formed to undertake the aforesaid canal, and as the subject is probably new to many of the good citizens of this State, the committee therefore recommend that the further consideration thereof be postponed until the next session of the Legislature.

Which report was read and accepted.

The resolve of the Senate, appropriating a certain sum of money to each of the County agricultural societies in this State, was considered, with the amendment of the House of Representatives thereto, when the amendment was adopted, and the resolve ordered to be engrossed for a third reading, to-morrow morning at five o'clock.

A message was received from the House of Representatives, by their Assistant Clerk, informing that the House had again deliberated on their resolve, making provision for the salary of the Secretary of the State, and still adhered to their disagreement to the amendment of the Senate thereto ; and the Senate having taken the same into consideration,

Mr. Eastman moved, that a committee of conference be raised on this subject, and that a proposition therefor be made to the House of Representatives. Which motion prevailed ; and Mr. Eastman was appointed a conferee on the part of the Senate, and information thereof was communicated to the House.

A message was received from the House of Representatives, by their Assistant Clerk, informing that the House had concurred in the proposition of the Senate, to constitute a committee of conference on the resolve making provision for the salary of the Secretary of the State, and had appointed Messrs. Smith of Exeter, Hubbard and Atherton, conferees.

On motion by Mr. Wallace,

The resolution of the House of Representatives, for furnishing the members of the New-Hampshire Historical Society with copies of the Journals of the Legislature, and granting them the use of a room in the capitol for their records, &c. was considered ; when, on his motion, the same was amended by striking out all the latter part thereof, and the resolve was ordered to be engrossed as amended, and read a third time at half past six o'clock this afternoon.

The Senate resumed the consideration of the resolution making provision for the salary of the Secretary of the State, when, on the report of Mr. Eastman, for the committee of conference thereon, the Senate receded from their first amendment, and made the following thereto. Strike out the word *seven*, and insert *eight*, making thereby the Secretary's annual salary eight hundred dollars ; and on the question, Shall this resolution be thus amended ? it was decided in

Thursday, July 3, 1823.

177

the affirmative, and communicated to the House for concurrence.

Mr. Webster, for the committee on engrossed bills, reported the resolution of the House, for furnishing the members of the New-Hampshire Historical Society, with copies of the journals of the Legislature, &c. &c. as correctly engrossed according to the amendment of the Senate; when, agreeably to order, the same was read a third time, passed, and sent down for concurrence.

Adjourned to 5 o'clock, to-morrow morning.

THURSDAY, JULY 3, 1823.

Met according to adjournment.

Mr. Boardman, for the committee to whom had been referred the following resolves of the House of Representatives, viz :

A resolve, allowing James Buswell fifty-two dollars and fifty cents.

A resolve, allowing Edward Philbrick fifty-two dollars and fifty cents.

A resolve, allowing John Johnson fifty-two dollars and fifty cents.

A resolve, allowing Albe Cady eleven dollars and seventy-five cents in full of his account for drafting and engrossing bills.

A resolve, allowing Thomas E. Sawyer nine dollars, in full of his account for drafting and engrossing bills—reported the same without amendment.

Which report was accepted; and the resolves were respectively read a third time and passed.

The bill from the House of Representatives, for incorporating certain persons by the name of the Holderness Union Library Society, was considered, read a third time, and passed to be enacted. Presented.

Mr. Boardman, for the committee, to whom was re-

ferred the resolve, allowing Joseph Cofran fifty-three dollars and twenty-five cents, reported the same with an amendment, viz : after the word *fifty*, erase the word *three*, and insert the word *four*.

Which report was accepted, and the amendment adopted, and the resolve returned to the House of Representatives for concurrence therein.

The bill from the House of Representatives, providing for the annual returns of the receipts and expenditures of the several counties in this State, was called up, read a third time, and passed to be enacted.

Presented.

The resolve, appropriating one hundred dollars annually, for the enlargement of the State library, passed with an amendment, and was sent to the House for concurrence therein.

A message was received from the House of Representatives, by the Assistant Clerk, who presented the following resolves for concurrence.

A resolve, allowing John Johnson ninety-eight dollars and eighty-three cents in full of his account.

A resolve, allowing Luther Roby ten dollars and twenty-five cents, in full of his account for stationary.

A resolve, allowing Philip Carrigain one hundred and seventy-one dollars and thirty cents, in full of his account for copying and recording the journal of the Senate, and for two maps delivered by order of the State.

A resolve, allowing Moses L. Neal, Esq. two hundred and fifty-six dollars and twenty cents, in full of his account for copying and recording journal of the House, &c.

A resolve, allowing Albe Cady one dollar and twenty-five cents.

And the same having severally passed two readings, were referred to the committee on claims and accounts.

Mr. Boardman, for the committee, to whom was referred the petition of Nathaniel H. Carter, praying for compensation for his services as a professor of languages, in the late university of Dartmouth, reported,

that the further consideration of the subject be postponed to the next session of the Legislature.

Which report was accepted.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in the amendment of the Senate to the resolution of the House for supplying the New-Hampshire Historical Society with copies of the Journals of the Legislature, &c. and he presented a resolve correctly engrossed embracing the amendment, which received the signature of the President, and was

Presented.

The bill of the Senate, in addition to the act for regulating the jurisdiction of the courts of law, and altering the style and name of the Courts of Common Pleas, having been reported as correctly engrossed agreeably to the amendments thereto, the same was read and passed.

The bill, in addition to and in amendment of an act passed July 4, 1819, entitled "an act in amendment of an act entitled an act for regulating towns, and the choice of town officers, passed February 8, 1791," having been reported as correctly engrossed, was read a third time and passed.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had concurred in the amendments of the Senate to the bill for incorporating certain persons by the name of the Portsmouth Handel Society, and he presented a bill correctly engrossed, embracing those amendments, which received the signature of the President, and was

Presented.

Mr. Boardman, for the committee to whom was referred the following resolves of the House of Representatives, viz :

A resolve, allowing John Johnson ninety-eight dollars and eighty-three cents.

A resolve, allowing Luther Roby ten dollars and twenty-five cents.

A resolve, allowing Philip Carrigain one hundred and seventy-one dollars and thirty cents.

A resolve, allowing Moses L. Neal two hundred and fifty-six dollars and twenty cents.

A resolve, allowing Albe Cady one dollar and twenty-five cents, in full of their respective accounts, reported the same without amendment.

Which report was accepted; when the same were severally read a third time and passed.

Presented.

A message was received from the House of Representatives, by the Assistant Clerk, informing that the House had non-concurred the amendment of the Senate to the resolution for appropriating one hundred dollars annually for the increase of the State Library.

When, on motion, it was voted to recede from the aforesaid amendment, and information thereof was forthwith communicated to the House.

A vote of the House of Representatives, appointing Messrs. Keith, Fellows, Blake, Giles, Piper, Peaslee, Boutwell, Way, Gates, and Buswell of the House, with such as the Senate may join, a committee to wait upon his Excellency the Governor and inform him that the business of the present session being finished, the legislature are ready to be adjourned, was brought up, read and concurred, and Messrs. Poole and Eastman joined on the part of the Senate.

On motion of Mr. Boardman, for the committee to whom the certificates and vouchers of the receipts and expenditures of the Treasury were referred, it was voted to discharge the committee from the further consideration thereof.

Mr. Poole, for the committee appointed from both Houses to wait upon his Excellency, and inform him that the Legislature was ready to be adjourned, reported that the committee had attended to the duty assigned them.

Mr. Wood laid on the table the following resolution, which was read by the Clerk, and passed unanimously.

Resolved, That the Senate now present their most cordial thanks to the honorable DAVID L. MORRIL, for the judicious, able, and dignified manner in which he has discharged the duties of President of this board during the present session of the legislature.

To which the honorable President made the following reply :

Gentlemen of the Senate,

This flattering expression of your approbation of the manner in which I have performed the duties of the chair, while presiding over the deliberations of this honorable body, is peculiarly pleasing and gratifying to me. Not more, however, than the uniform harmony and polite conduct which have pervaded the Senate during the present session.

Permit me gratefully to acknowledge your kind attention, and also to present you, individually, my best wishes that you may have a pleasant journey to your respective families, and there enjoy the felicities of domestic intercourse.

A message was announced, and Mr. Sparhawk, the Secretary, came in, and communicated the following from his Excellency the Governor.

Mr. President,

I am directed by his Excellency the Governor to inform the honorable Senate, that he has approved of all the bills and resolves which have been presented for his approbation the present session ; and that, agreeably to the request of the Legislature, as expressed to him by a respectable committee, he now adjourns the General Court to the last Wednesday of May next, to meet at the Capitol on the first Wednesday of June.

The President declared the Senate adjourned accordingly.

A true copy,

Attest—PHILIP CARRIGAIN,

Clerk.

APPENDIX.

STATE ARMS, ORDNANCE, MILITARY STORES, &c.

(A.)

Report of Peter Chadwick, Esq. to his Excellency the Governor.

EXETER, MAY 24, 1823.

To His Excellency Samuel Bell.

SIR—I have the honor herewith to forward you the Inspection returns of Arms, Ordnance, and Military Stores belonging to the State of New-Hampshire, as shewn me by the Commissary-General.

In endeavouring to discharge the duty with which your Excellency was pleased to honour me, I have taken the liberty to make a few observations upon the convenience of the building in which the Arms, &c. are deposited, and suggest such an alteration as will render it more convenient.

The building belongs to the United States—is one story, built of brick; the lower part is occupied by the artillery and ordnance belonging to the State and the United States, and is convenient for that purpose. In the garret are deposited the arms, &c. belonging to the State and the harnesses belonging to the artillery of the United States. The arms are contained in 127 boxes, and occupy the whole floor two or three boxes deep; and the room is lighted by a scuttle in the roof.

The crowded state of the room and want of light must render the task of keeping the arms clean and in order extremely difficult. And I would beg leave to suggest the propriety, if leave can be obtained from the United States, of adding a story to the building, which will render it in every way convenient at a small expense.

The arms received from the United States are generally of a good quality, but many of them have been much used and some of them so much so, as to render some repairs necessary should they be wanted for actual service; but the repairs necessary will be trifling,

except to 14 muskets, which are destitute of suitable bayonets.

I found 48 stands of arms which were not received of the United States, 25 of which are in fine order and fit for any service. The remaining 23 are unserviceable; and cannot be put in a proper state of repair without expending more upon them than sound economy would justify.

I have found much difficulty in forming a satisfactory opinion of the artillery; several of the cannon which I have reported serviceable in the inspection return C, I think doubtful, as they were exposed for a long time previous to the late war. And I do not understand that they have since been properly tested; as I did not think myself authorized to be at the expense of testing them, I have returned them agreeably to the Commissary General's report.

The wood work of two carriages for field pieces is so much decayed as to render it impossible to repair them, and the one set of horse harness for artillery is useless for that purpose. It would, I think, be for the interest of the State to have them disposed of.

The cartridges, excepting 3 boxes, are securely packed in papers and deposited in boxes; in those three boxes they are loose, and in consequence, many have become useless. I would suggest the propriety of having them overhauled and properly secured.

I cannot close these observations without expressing the pleasure and satisfaction I have experienced with the judicious arrangements of the Commissary General, and the excellent order in which he has kept the arms, ordnance, &c. under many disadvantages; and also at the promptitude with which he satisfactorily answered all inquiries, and the assistance he afforded me in the discharge of my duty.

Should any further explanations be necessary, I will with pleasure endeavor to give them when requested.

I am, with great respect,

Your Excellency's most obedient,

Humble Servant,

PETER CHADWICK.

INSPECTION RETURN of the Arms, Accoutrements, Amunition, &c. belonging to the Secretary of State His Excellency Samuel Belmont

STANDS OF ARMS CONTAINED IN 127 BOXES.									
Description.		Muskets.	Bayonets.	Remarks.					
Furnished by the United States		2860	2847	{ The Muskets and Bayonets are in perfect order. Some of them have been considerably used.					
Furnished by the United States		1	14	{ The Musket good, but wanting ramrod; the bayonets are good but not suitable for the muskets.					
Old French Arms		25	25	{ These arms are in fine order and serviceable.					
Old arms of various kinds		14	14	{ Unserviceable for ball cartridges, being of different calibre and much worn.					
Old ditto		9		{ Useless; wanting stocks, locks or ramrods.					
Total		2909	2900						
ACCOUTREMENTS.									
		Bayonets, Scabbards & Belts in order.	Bayonet Belts in order.	Bayonet Belts unserviceable	Cartridge boxes in order.	Cartridge boxes useless.	Belts for Cart-ridge boxes.		
		5	14	6	6	6	2		
		22	29						
		3	1						
		Bo	Bo						
		14	14						
		1	1						
		5	14	6	6	6	2		

I certify the above to
 Hampshire, at Portsmouth, in charge

(E.)

STRACT, shewing the state of the Banks in New-Hampshire, according to the returns made in June, 1823.

	Am. cap. stock paid in.	Value of real estate.	Amount of debts due.	Amount of specie in the vault.	Amount of bills of other banks.	Amount of deposits.	Amount of bills in circulation.
Bank, November, 1822	165,500	a 33,590 93	b 217,073 74	4,604 46	14,449	22,993 22	{ 31,265 old.* 34,583 new. 65,848
May, 1823	165,500	a 35,777 47	b 212,213 35	4,348 68	10,961	22,820 18	{ 31,094 * 25,091
Bank, November, 1822	150,000	5,188	187,692	d 15,709	8,322	13,969	56,185
May, 1823	150,000	6,383	194,022	d 10,195	6,249	14,063	37,063
November, 1822	100,000	6,217 93	119,157 97	5,647 44	9,975	9,241 29	38,532
May, 1823	100,000	6,217 93	Insur. stock 1920 123,526 49	Boston bk. 364 65 4,021 82	3,257	6,200 39	29,990
November, 1822	100,000	e 1,000	131,074 56	Part in Eagle bk. 7,009 99	11,087 46	16,264 11	27,537
May, 1823	100,000	e 1,000	131,515 95	5,826 21	3,640 99	12,533 14	31,462
Bank, November, 1822	91,936	4,500	142,576 55	f 5,276 69	11,233 25	8,196 20	26,568
May, 1823	89,600	4,500	156,252 07	7,666 22	4,749 28	8,403 02	54,856
November, 1822	100,000	4,434 43	120,185 09	g 6,043 68	7,277	2,354 53	61,887
May, 1823	100,000	4,434 43	126,309 11	h 6,611 59	3,047	2,941 13	19,524
November, 1822	60,000	1,500	90,078 62	i 36,236 74	4,194	7,830 91	20,181
May, 1823	60,000	2,577 60	87,567 17	j 36,492 78	4,187	9,976 65	61,935
Bank, November, 1822	39,800	2,000	56,233 29	15,072 19	4,713	1,234 43	57,868
May, 1823	39,800	2,000	50,445 05	15,599 79	10,515	10,317 47	29,336
November, 1822	100,000	k 3,304 44	165,198 87	l 27,242 69	5,821 50	11,393 12	19,965 50
May, 1823	100,000	4,961 54	156,255 18	m 33,899 73	2,457	3,190 78	93,312 50
November, 1822	102,000	2,054	223,695 17	o 32,043 52	6,773	2,905 50	97,278 50
May, 1823	102,000	2,054	182,866 41	p 45,676 56	4,281	401 05	157,531
	n 102,000	2,054					130,617 50

appears by the bank books.
e bad and some doubtful debts.
Boston.

posited in Union Bank, Boston.
do. do. do.
do. do. do.

j Including specie deposit in N. E. Bank, Boston.
k Including \$270 personal property.
l Including \$11,451 85 deposited in a Bank in Boston.
m Including \$25,071 71 deposited in two Banks in Boston.
n Including real estate.
o Including \$3,303 02 in Boston.
p Including \$27,863 94 in Boston.

used by the Directors that this sum is too large by \$29,606, and that the actual amount of bills in circulation is only \$2659.

100

100

100

100

100

100

100

100

100

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100

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100

100

ABSTRACT, shewing the state of the Banks in New-Hampshire, according to the returns made in June 1823.

	Am. cap-stock paid in.	Value of real estate.	Amount of debts due.	Amount of specie in the vault.	Amount of bills of other banks.	pos
New-Hampshire Bank, November, 1822	165,500	a 33,590 93	b 217,073 74	4,604 46	14,449	22,
Do. May, 1823	165,500	a 35,777 47	b 212,213 35	4,348 68	10,961	22,
New-Hampshire Union Bank, November, 1822	150,000	5,138	187,692	d 15,709	8,322	13,
Do. May, 1823	150,000	6,383	194,022	d 10,195	6,249	14,
Portsmouth Bank, November, 1822	100,000	6,217 93	119,157 97	5,647 44	9,975	9,
Do. May, 1823	100,000	6,217 93	Insur. stock 1920 Boston bk. 364 65	4,021 82	3,257	6,
Rockingham Bank, November, 1822	100,000	e 1,000	Insur. stock 1920 Part in Eagle bk.	7,009 99	11,087 46	16,
Do. May, 1823	100,000	e 1,000	131,074 56	5,826 21	3,640 99	12,
N. Hampshire Strafford Bank, November, 1822	91,936	4,500	131,515 95	f 5,276 69	11,233 25	8,
Do. May, 1823	89,600	4,500	142,576 55	f 5,276 69	4,749 28	8,
Exeter Bank, November, 1822	100,000	4,434 43	156,252 07	g 7,666 22	7,277	2,
Do. May, 1823	100,000	4,434 43	120,185 09	h 6,043 68	3,047	2,
Concord Bank, (G. Kent.) November, 1822	60,000	1,500	126,309 11	6,611 59	3,047	7,
Do. May, 1823	60,000	2,577 60	90,073 62	j 36,236 74	4,194	9,
Concord Bank, (S. Sparhawk,) November, 1822	39,800	2,000	87,567 17	j 36,492 78	4,187	1,
Do. May, 1823	39,800	2,000	56,233 29	15,072 19	4,713	1,
Grafton Bank, November, 1822	100,000	k 3,304 44	50,445 05	15,599 79	10,515	10,
Do. May, 1823	100,000	4,961 54	165,198 87	l 27,242 69	5,821 50	11,
Cheshire Bank, November, 1822	n 102,000	2,054	156,255 18	m 33,899 73	2,457	3,
Do. May, 1823	n 102,000	2,054	223,695 17	o 32,043 52	6,773	2,
			182,886 41	p 45,676 56	4,281	40

a Cost of real estate, as appears by the bank books.

b This sum includes some bad and some doubtful debts.

d Including deposit in Boston.

e Vault and furniture.

f Including \$920 05 deposited in Union Bank, Boston.

g Including \$2491 25 do. do.

h Including \$130 43 do. do.

* It is supposed by the Directors that this sum is too large by \$23,606, and that the actual amount of bills in circulation is only \$9659.

j Including specie deposit in N. E. Bank, Boston.
 k Including \$2270 personal property.
 l Including \$11,451 85 deposited in a Bank in Boston.
 m Including \$25,071 71 deposited in two Banks in Boston.
 n Including real estate.
 o Including \$5,303 02 in Boston.
 p Including \$27,863 94 in Boston.

1874

STATE OF NEW YORK

1874

REPORT OF THE

COMMISSIONER OF THE LAND OFFICE

FOR THE YEAR 1874

ALBANY: PUBLISHED BY THE STATE OF NEW YORK, 1875.

PRINTED BY THE STATE OF NEW YORK, 1875.

1874

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(D.)
Robert Neal, Commissary General for the State of New-Hampshire, June 1, 1823.

ndries.

5	7	4	10	600
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The whole of this return is just and true. Portsmouth, June, 1823.
ROBERT NEAL, Commissary General.

(D.)

RETURN of Ordnance and Ordnance Stores at Portsmouth, under the care of Robert Neal, Comd.

Kind.	Serviceable.				Unserviceable.		Spare Carriages and Limbers for.				Equipments for.							Shot, Amm.						
	Brass.		Iron.		Brass.	Iron.	Good.	Bad.	Fixed.	Travelling.	Fixed.	Travelling.	Sponges and Rammers.	Ladles and Worms.	Ladles.	Match and Port Fire Stocks.	Trail Staves.	Quoins and Wedges.	Lead Aprons.	Round Shot.	Bar Shot.	Case Shot.		
	Mounted.	On Fixed Carriages.	On Travelling Carriages	On Fixed Carriages.																				
Cannon.	32																			3	180	8		
	24																			190	10			
	18																			606				
	12																			50				
	9																			180	220			
	6																			530	35			
	4																			725	35			
	3																					109		
Total on hand.																						2461	308	116

Small Arms, Accoutrements and Military Stores.

Sundries.

On hand, good. On hand, bad. On hand, useless.	Stands of small arms from U.S. in Boxes.		Old Muskets.		Old Bayonets.		Carriage boxes and Belts.		Bayonet scabbard and Belts.		Flints.		Boxes of Muskets ball cartridges filled.		Box of blank car- tridges.		Muskets ball car- tridges empty.		Boxes of Muskets balls.		Ammunition boxes.		Camp Kettles.		Iron Wheels.		Sets of Copper measures from one bushel to half gill.		Copper Weights 56, 28, 14, and 4 lbs.		Scale beams, large.		Shovels.		Spades.		Pick Axes.		Iron Bars.		Handspikes.		Pounds of broken Shot.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
	Muskets.	Bayonets.	25	247	25	25	2	5	2240	55	1	4000	14	23	4	62	1	4	1	4	1	3	7	4	10	60																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
	2847	14	7	14	9	20	2	3	2240	55		4000	14	23	4																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												

Receipts which I hold for small arms, U. S., not included in the above return, viz.

1814. April 20. G. W. Tuckerman, for 11 stands of small arms.

“ “ 23. Benjamin Floyd “ 3 “ “ “

08 23271	08 23271	08 23271	08 23271
08 23272	08 23272	08 23272	08 23272
08 23273	08 23273	08 23273	08 23273
08 23274	08 23274	08 23274	08 23274
08 23275	08 23275	08 23275	08 23275
08 23276	08 23276	08 23276	08 23276
08 23277	08 23277	08 23277	08 23277
08 23278	08 23278	08 23278	08 23278
08 23279	08 23279	08 23279	08 23279
08 23280	08 23280	08 23280	08 23280
08 23281	08 23281	08 23281	08 23281
08 23282	08 23282	08 23282	08 23282
08 23283	08 23283	08 23283	08 23283
08 23284	08 23284	08 23284	08 23284
08 23285	08 23285	08 23285	08 23285
08 23286	08 23286	08 23286	08 23286
08 23287	08 23287	08 23287	08 23287
08 23288	08 23288	08 23288	08 23288
08 23289	08 23289	08 23289	08 23289
08 23290	08 23290	08 23290	08 23290
08 23291	08 23291	08 23291	08 23291
08 23292	08 23292	08 23292	08 23292
08 23293	08 23293	08 23293	08 23293
08 23294	08 23294	08 23294	08 23294
08 23295	08 23295	08 23295	08 23295
08 23296	08 23296	08 23296	08 23296
08 23297	08 23297	08 23297	08 23297
08 23298	08 23298	08 23298	08 23298
08 23299	08 23299	08 23299	08 23299
08 23300	08 23300	08 23300	08 23300

**Inspection Return of the Ordnance and Ordnance Stores belonging to the State of New-Hampshire
in answer to a Resolution of the Senate, passed the 10th of March 1802
in order of His Excellency Samuel Bell, Governor**

I certify the above to be a true Return of all the Ordnance and Commissary's Stores, belonging to the State of New-Ham-
as shewn by him, and by me inspected.



(C.)

ing to the State of New-Hampshire, at Portsmouth, on the 24th day of May, 1823, made by
excellency Samuel Bell, Governor of said State.

Shot and Langrage.				Ammunition Chests, &c.				Remarks.				
Lead Aprons.	Round Shot.	Bar Shot.	Case Shot.	Pounds Langrage.	Ammunition Chests.	Ammunition Boxes.	Wads.	Handspikes.	Sets single harness.	Flints.	Iron Wheels for gun carr.	

Stores, belonging to the State of New-Hampshire at Portsmouth, in charge of Robert Neal, jun. Esq. Commissary-General,

PETER CHADWICK.

(B.)

ing to the State of New-Hampshire at Portsmouth, made on the 24th day of May, 1823, by direction
y Samuel Bell, Governor of said State.

AMUNITION.				CAMP EQUIPAGE.					
Description.		Ball cart- ridges.	Musket balls in boxes, &c.	Remarks:					
22 boxes, twine bound.		22068		These cartridges are in fine order and suitable for field service.					
29 boxes, gurned or twisted } at the ends.		34181		These not being bound with twine will not bear much handling without becoming useless.					
3 boxes, loose.		2757		These not being packed in papers have become generally useless.					
Boxes in papers ready to } be filled.			4000						
14 boxes.			24000	By estimation.					
1 box blank Cartridges.				Number not known.					

certify the above to be a true return of all the Arms, Accoutrements, Amunition and Camp Equipage belonging to the State of
Portsmouth, in charge of Robert Neal, Esq. Commissary General, as shewn by him, and Inspected by me.

PETER CHADWICK

[F.]

TREASURY ESTIMATES.

NO. 1.

STATE OF NEW-HAMPSHIRE.

Treasury Office, June 30, 1823.

THE following statement, shewing the Receipts and Disbursements of the public money, from June 3, to June 30, 1823, is respectfully submitted to the Hon. General Court for their information.

June 4, 1823.

DR.

To balance of cash in the Treasury, as reported by committee on settlement with the Treasurer,

18,834 82

" Cash received at the Treasury for outstanding Taxes,

609 23

" Cash received of late Gov. Bell, for balance of his contingent account,

1 35

" Cash received for fines from persons conditionally exempted from military duty, under the 6th section of the militia law of the State,

4

" Cash received for land sold John Small & John G. Tuttle, pursuant to Resolve of the Legislature,

89 60

" Cash received for interest on note in favor of State, signed by Moses Foss, and others,

50 80

 \$ 19,589 80

June 4, 1823.

CR.

By order paid Henry Hubbard,

60

" do. paid Samuel Sparhawk,

224 50

" do. paid Hon. Richard Odell,

25

" do. paid his Excellency Levi Woodbury,

283 33

" do. paid George F. Marston,

98 57

S 28

" do. paid Treasurer of the Board of Agriculture,	250
" do. paid Nathaniel A. Haven, jr,	37
" do. paid Sylvester T. Goss,	32 88
" do. paid John Plumer	100
" do. paid Clement Storer,	16 80
" do. paid William Claggett,	29
" do. paid Robert Neal,	208 07
" do. paid James Poole,	53 37
" do. paid Benjamin Parker,	36 88
" do. paid Samuel Sparhawk	385 20
" do. paid Rev. Israel W. Putnam	100
" do. paid Hon. Wm. M. Richardson.	350
" do. paid Hon. Samuel Greene,	300
" do. paid John Harvey, jr.	134 35
" do. paid John W. Weeks,	27 28
" do. paid John P. Gass,	39 50
" do. paid sundry certificates for bounties on wild cats,	81
June 30, cash on hand, the balance,	16,764 07
	<hr/>
	\$ 19,589 80

WILLIAM PICKERING, *Treasurer.*

NO. 2.

An Estimate of the probable Receipts and Disbursements at the Treasury, from June 1, 1823, to January 1, 1824.

RECEIPTS.

For taxes outstanding for the year 1822,	223 40
For do. for the year 1823,	434 70
Reimbursement of principal and interest on stock in United States' Funds	3,531 10
	<hr/>
	4,189 20
To which add the balance of cash in the Treasury, June 1, 1823,	18,834 82
	<hr/>
	\$23,024 02

EXPENDITURES.

Salaries of Governor, Secretary, Treasurer, Judges, Attorney General, Adjutant Gen- eral, and Warden of State Prison,	5,233 33
Pay and Travel Rolls of Hon. Council, Sen- ate, House of Representatives, the pres- ent session, including compensation to Chaplain, Clerks and Door-keepers,	15,392 70
Incidental expenses of the session, includ- ing printers' accounts for publishing laws, and pay of Clerks for copying journals,	1,400
Expenses of Courts Martial and Military commissions,	1,000
Appropriations for Adjutant and Quarter Master General's Departments,	1,600
For encouragement of Agriculture	700
Appropriation for State Prison, as recom- mended by committee,	2,000
Additional allowance to Warden State Pris- on,	200
For publishing Reports of Superior Court,	700
For education of Deaf and Dumb children,	1,000
For payment of Professor Dean's claim,	500
Bounties on Wild Cats,	200
Contingencies, say,	1,500
	<hr/>
Deduct receipts,	31,426 03
	<hr/>
	23,024 02

Leaving to be provided for by loan, the sum
of 8,402 01

WILLIAM PICKERING, Treasurer,
Treasury Office, June 30, 1823.

NO. 3.

An estimate of the probable Receipts and Disburse-
ments at the Treasury, from January 1, to June 1,
1824.

RECEIPTS.

State Tax for the year 1823. 30,000

Reimbursement of principal and interest on	
Stock in United States funds,	4,523 07
	<hr/> \$34,523 07

DISBURSEMENTS.

Salaries of the officers of Government,	2,600
Pay Roll Hon. Council, May session, 1824,	100
For money borrowed, including interest on	
same,	8,280
	<hr/> 40,980 00
Leaving a balance in the Treasury, June	
1, 1824,	23,543 07
	<hr/> \$34,523 07

WILLIAM PICKERING, Treasurer.

Treasury Office, June 30, 1823.

[G.]

*ACTS passed by the Legislature of New-Hampshire,
June Session, 1823.*

An act to incorporate the Great Falls Manufacturing Company.

An act to incorporate Daniel M. Durell and others, by the name of the New-Market Manufacturing Company.

And act to incorporate certain persons by the name of the New-Hampshire Historical Society.

An act in addition to and in amendment of an act entitled an act regulating the office of Coroner.

An act to authorize the town of Portsmouth to elect a Representative to the General Court.

An act to establish a corporation by the name of the Union Manufacturing Company.

An act to incorporate certain persons by the name of Walpole Library Association.

An act to enlarge the capital of the Dover Cotton Factory, and to alter the name thereof.

An act to incorporate the Adams Female Academy.

An act to incorporate the Portsmouth Sugar Refining Company.

An act to establish a corporation by the name of the Nashua Manufacturing Company.

An act to incorporate sundry persons by the name of the Dover Bank.

An act to establish a corporation by the name of the Enfield and Lebanon Iron Manufactory.

An act to incorporate the proprietors of the Charles-town Street Aqueduct Company.

An act to incorporate John Bell and Richard H. Ayer by the name of the Hooksett Manufacturing Company.

An act to incorporate Samuel A. Pearson and others, by the name of the Lancaster Street Aqueduct Company.

An act to incorporate the Cheshire Manufacturing Company.

An act repealing an act for the preservation of fish in Beaver pond.

An act authorizing the Superior Court of Judicature to appoint auditors in certain cases.

An act to repeal an act respecting the choice of Registers of Deeds and County Treasurers.

An act in addition to an act for choosing Registers of Deeds and County Treasurers.

An act in addition to an act entitled an act to incorporate the Directors of the Noyes school in the town of Andover.

An act to establish a corporation by the name of the Smithville Factory.

An act authorizing School District numbered ten in the town of Concord, to hold five-eighths of an acre of land as a school-house lot.

An act defining the powers and duties of Assessors of taxes.

An act to incorporate the proprietors of the Eaton Library.

An act to incorporate a provident institution for sav-

ings in the town of Portsmouth, to be called the Portsmouth Savings Bank.

An act to establish a corporation by the name of the Town of Merrimack Manufacturing Company.

An act forming Whitefield and Dalton into one class, and Bethlehem, Franconia and Lincoln into another class for the choice of Representatives to the General Court.

An act to disannex the town of Chatham from the County of Coos and annex the same to the County of Strafford.

An act to disannex the farms of Jonathan Hardy and Edward Shirley from Conway and annex them to Chatham.

An act in addition to an act entitled an act to incorporate certain persons by the name of the proprietors of Dalton Bridge.

An act to establish a system of Police in the town of Portsmouth and for other purposes.

An act for classing Danbury, Orange and Dorchester and Dame's Gore.

An act to annex sundry tracts of land to the town of Bartlett.

An act to incorporate a provident institution for savings in the town of Dover by the name of the Savings Bank for the County of Strafford.

An act to incorporate Washington Lodge No. 13.

An act to constitute a new County by the name of Merrimack.

An act authorizing the members from the towns in the County of Merrimack to form themselves into a Convention.

An act to incorporate sundry persons by the name of the President, Directors and Company of the Connecticut River Bank.

An act to incorporate sundry persons by the name of the Portsmouth Steam Factory.

An act to incorporate certain persons by the name of the Boston and Concord Boating Company.

An act to incorporate Joseph Smith and his associates by the name of the Winnepisiogee Lake Steam Boat Company.

An act requiring overseers of the poor to make annual returns of the state of pauperism in their respective towns to the Secretary's office.

An act to incorporate certain persons by the name of the proprietors of the Dover Aqueduct.

An act in addition to an act passed June 20, 1811, entitled an act to prevent the destruction of salmon, shad and alewives in Merrimack river and the several streams falling into the same, and for repealing certain laws heretofore made for that purpose.

An act to empower the first congregational parish in Barrington to tax the pews in their meeting-house.

An act to incorporate Rising Sun Lodge No. 39.

An act to incorporate an association for a library in the town of Bristol.

An act to incorporate certain persons by the name of Mount Moriah Lodge No. 22, in the town of Canaan.

An act to change the name of the Franklin Literary Society in Northfield.

An act to incorporate certain persons by the name of the Union Lodge No. 10, in the town of Orford.

An act for incorporating certain persons by the name of the Brookline social library.

An act to establish a corporation by the name of the first cotton mill in Merrimack.

An act to change the names of sundry persons therein named.

An act to incorporate sundry persons by the name of the proprietors of Six-Mile Stream Canal.

An act to incorporate certain persons by the name of Holderness Union Library.

An act in addition to and in amendment of an act passed July 1, 1819, entitled an act in amendment of an act for regulating towns and the choice of town officers.

An act in addition to an act entitled "an act regulating the jurisdiction of the Courts of Law, and altering the style and name of the Courts of Common Pleas."

An act to incorporate certain persons by the name of the Portsmouth Handel Society.

An act to provide for the annual returns of the receipts and expenditures in the several counties of this State.

An act in addition to an act entitled "an act for mending and repairing the highways in this State."

An act to incorporate the Lake Manufacturing Company.

An act in addition to and in amendment of an act entitled "an act for laying out highways," passed February 8, 1791.

An act for raising thirty thousand dollars for the use of this State.

Resolves of a public nature.

A resolve, appropriating one thousand dollars, for the education of deaf and dumb children at the Hartford asylum.

A resolve, authorizing the Treasurer to purchase 250 copies of the 2d volume of the New-Hampshire Reports.

A resolve, appropriating five hundred dollars for contingent expenses.

A resolve, appropriating seventeen hundred and eighty-four dollars to be applied to various objects in the Adjutant General's department.

A resolve, allowing James Dean five hundred dollars in full for his claim for services as professor of Dartmouth University.

A resolve, appointing William Plumer, jun. agent to adjust the claims of this State against the United States.

A resolve, authorizing the Treasurer to borrow for the use of the State a sum not exceeding eight thousand dollars.

A resolve, requesting the Governor, &c. to appoint a committee to revise the laws of this State relative to the assessment and collection of taxes, and report by bill to the next Legislature.

A resolve, including the town of Kilkenny in the class of towns composed of Jefferson, &c. for the purpose of sending a representative.

A resolve, allowing Moses C. Pilsbury, Warden of the State Prison, two hundred dollars in addition to his salary for the past year.

A resolve, appropriating one hundred dollars towards the State Library.

A resolve, providing for taking the sense of the qualified voters in the county of Hillsborough whether Amherst or Mont Vernon shall hereafter be the shire town of said county.

[H.]

Rules of the Senate of New-Hampshire, June Session, 1823.

1. The President shall take the chair at the hour to which the Senate shall have adjourned, and on the attendance of a quorum, shall call the Senate to order, and each morning shall cause the journal of the preceding day to be read. He shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

2. The President shall preserve order and decorum, and shall decide all questions of order, subject to an appeal to the Senate by any member : and all bills, resolves and addresses, after passing the Senate, shall be signed by the President ; and all warrants and subpoenas, or other processes, issued by order of the Senate, shall be under his hand and seal, attested by the Clerk.

3. Each member shall seasonably and punctually attend to his duty in the Senate.

4. When any member is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat and respectfully address the President, and shall confine himself to the question under debate, and avoid personality.

5. When any motion is made, it shall be reduced to writing, if the President or any member requests it.

6. Any member may call for a division of the question, when the same is divisible.

7. When any question is under debate, no motion shall be received, but to adjourn, to lie on the table, to postpone indefinitely, to postpone to a day certain, to commit, or amend, which several motions shall have precedence, in the order they stand arranged. The motion to adjourn shall always be in order.

8. Upon motion made by any one member, the yeas and nays shall be taken upon any question, and if required, entered on the journals; and shall be taken in the order of the Districts, beginning with No. 1, when every member present shall give his vote, unless for special reasons excused by the Senate.

9. No petition or bill shall be introduced into the Senate, those received from the House of Representatives excepted, unless by report of a standing committee, or by a member, on motion for that purpose, after stating the object of the petition, or title of the bill; and whenever a bill shall not be rejected, on its first reading, a time shall be assigned for a second reading of the same. And no bill shall pass to be enacted, until it shall have had three several readings, nor shall any bill be read a third time, until the adjournment take place, after its second reading, unless this rule be dispensed with by a vote of the Senate.

10. No member shall absent himself from the Senate without leave.

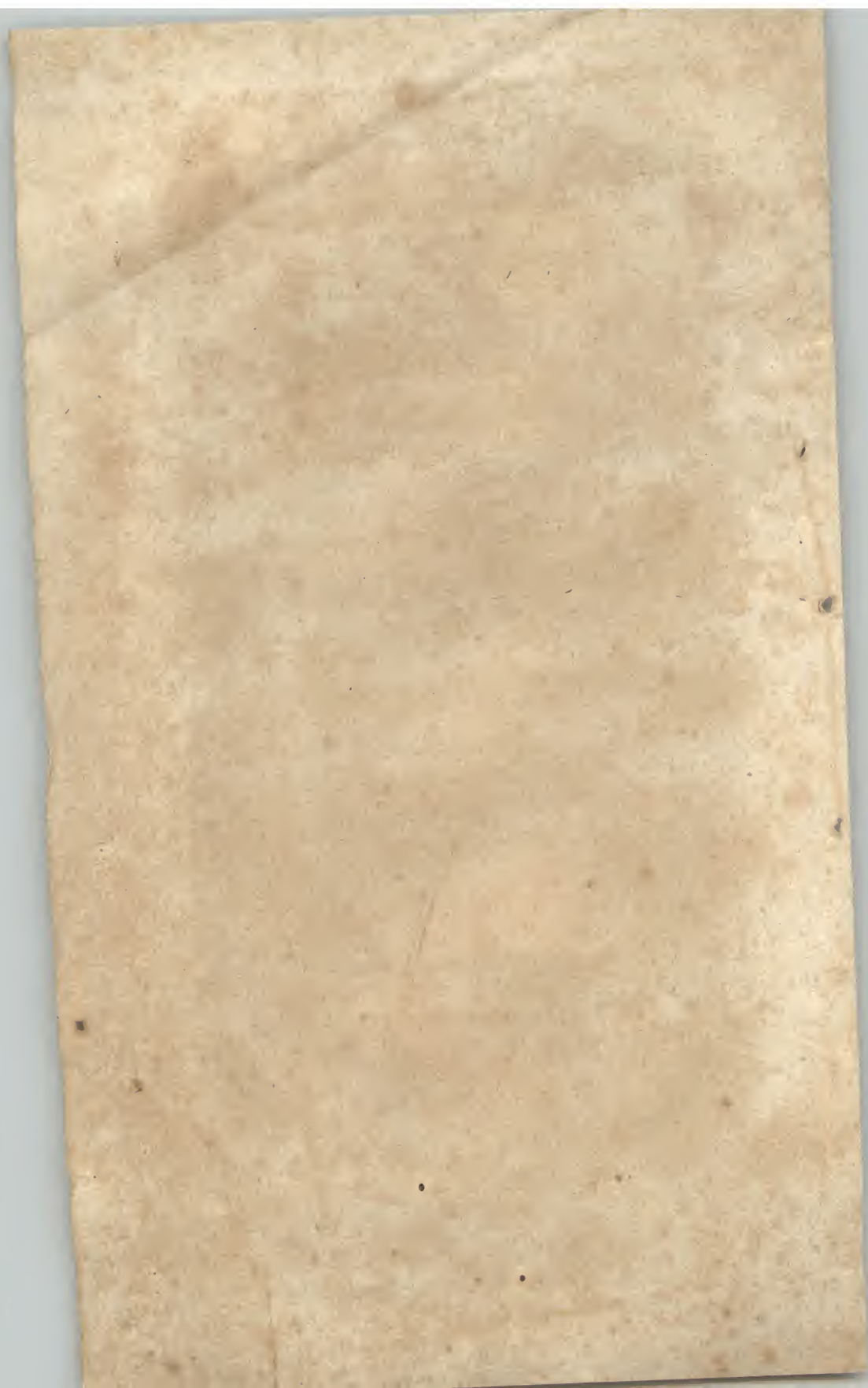
11. There shall be a standing committee, to consist of three members on each of the following subjects, to wit:—on all matters touching the judiciary or judicial proceedings; on all petitions for acts of incorporation; on all matters in relation to the militia; on all accounts and claims against the state; on all bills to be engrossed for a third reading; on all matters touching the elections, returns, or qualifications of Senators; and on the unfinished business of last session. All other committees, except joint committees, shall consist of three members, unless the Senate shall otherwise order. All private bills, resolves, votes, and other

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proceedings of the House of Representatives, shall be referred to the several committees, on the same subject in the Senate, previous to acting thereon; and all bills of a general or public nature, received from the House of Representatives, shall, previous to being acted upon, be referred to a committee.

12. All committees shall be appointed by the President, unless a member requests the appointment to be by ballot, in which case, it shall be so done.

13. When the Senate shall concur in the appointment of a joint committee, consisting of not more than five members from the House, one member only shall be added on the part of the Senate; but when of more than five, two members shall be added thereto, on the part of the Senate.

14. No resolve or vote shall be re-considered, when there is a less number of members of the Senate present, than there was in passing the same.

15. The Senate shall, on no occasion, meet the House in Convention, until they shall have previously passed a vote for that purpose.

16. Whenever the subject matter on which the Senate shall meet the House in Convention shall be finished, the Senate shall immediately retire to their chamber.

17. Whenever the Senate propose to concur with the House in the passage of any vote, bill, or resolve, with amendments proposed by the Senate, provided the House adopt the proposed amendments, the Senate are not at liberty to withhold their concurrence.

18. The standing committees shall attend, at their respective committee rooms, one hour before the meeting of the Senate in the morning, and at such other times as the Senate may order.

19. The Senate shall adjourn to meet at nine o'clock in the forenoon, at three o'clock in the afternoon of each day, unless otherwise ordered by the Senate; and on motion to adjourn, there shall be no debate.

20. No person, except members and officers of the Executive and Legislature, shall be admitted within the bar of the Senate, unless by invitation of the President, or some member with his consent, except when the Senate shall be in committee of the whole on public hearings, when the parties, their counsel or witnesses, shall be admitted.

21. The Senate may, at any time, resolve itself into a committee of the whole, and in forming such committee, the President shall leave the chair, and appoint a chairman to preside.

22. When bills are committed to a committee of the whole, the bill shall be first read throughout by the Clerk, and then again read and debated by clauses. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Clerk, on a separate paper, as the same shall be agreed to by the committee, and so reported to the Senate.

23. All communications to be made by the Senate to the House of Representatives, may be sent by the Clerk.

24. When a question has been once carried, in the affirmative, or negative, it shall be in order for any member in the majority, to move for a re-consideration thereof, provided it be done on the same or the next day of actual session thereafter.

25. One day's notice, at least, shall be given of an intended motion to bring in a bill.

26. In filling up blanks, the largest sums and the longest time shall be first put.

27. All questions shall be put by the President of the Senate; and the Senators shall signify their assent, or dissent, by answering, *viva voce*, aye or no.

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